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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 3043/2016 & CM APPLs. 12836-12837/2016

TATA STEEL LIMITED Petitioner
Through: Mr. Pravin Anand, Advocate with
Mr. Achuthan Sreekumar and Mr. Karan
Kamra, Advocates.

versus

UNION OF INDIA & ANR. Respondents
Through: Mr. Naginder Benipal, Advocate for
Mr. Manish Mohan, Advocate for
respondents No.1 and 2.

And

+ W.P.(C) 3067/2016 & CM APPLs. 12987-12988/2016

**INTELLECTUAL PROPERTY
ATTORNEYS ASSOCIATION** Petitioner
Through: Ms. Prathiba M. Singh, Senior Advocate
with Mr. C.M. Lall, Mr. Mohan Vidhani,
Mr. Amarjit Singh, Mr. M.K. Miglani,
Mr. Ajay Sahni, Mr. D.K. Lalwani,
Ms. Nancy Roy, Mr. Gaurav Miglani,
Mr. Rahul Vidhani, Mr. Siddharth
Bambha, Mr. Raghav Malik,
Ms. Kanika Bajaj, Ms. Adya Khanna,
Mr. Sudhanshu Suman, Mr. Rupin Bahl
and Ms. Jyoti Deep Kaur, Advocates.

versus

**THE CONTROLLER GENERAL OF PATENTS,
DESIGNS AND TRADE MARKS & ANR.** Respondents
Through: Mr. Kirtiman Singh, Advocate with
Mr. Wazie Ali Noor, Advocate.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

ORDER
05.04.2016

Matters have been listed upon an urgent mentioning being allowed by Division Bench-III.

Present writ petitions impugn the action of the respondents by which the respondents have treated a large number of Trade Mark applications as abandoned without any notice to any effected party.

Learned counsel for petitioners have drawn this Court's attention to disposal charts of Trade Marks Registry at pages 47 and 48 of the paper book in W.P.(C) 3067/2016. The same is reproduced hereinbelow:-

“ Other Disposals during the 20/03/2016 to 05/04/2016

Branch Description Total Application Disposed

<i>AHMEDABAD</i>	<i>15850</i>
<i>CHENNAI</i>	<i>47944</i>
<i>DELHI</i>	<i>57675</i>
<i>KOLKATA</i>	<i>14851</i>
<i>MUMBAI</i>	<i>57588</i>

Total Application Disposed:- 193908

Other Disposals during the 31/03/2016 to 01/04/2016

Branch Description Total Application Disposed

<i>AHMEDABAD</i>	<i>2366</i>
<i>CHENNAI</i>	<i>17839</i>
<i>DELHI</i>	<i>13795</i>
<i>KOLKATA</i>	<i>4837</i>
<i>MUMBAI</i>	<i>13377</i>

Total Application Disposed:- 52214

Keeping in view the startling figures of disposal within a short period of time as well as the serious allegations in the present writ petition, the orders of the abandonment passed by the respondents on or after 20th March, 2016 are stayed. Also, till further orders, the respondents shall not treat any Trade Mark applications as abandoned without proper notice to an effected party as provided under Sections 21, 128 and 132 of the Trade Marks Act, 1999.

Issue notice.

Mr. Naginder Benipal and Mr. Kirtiman Singh, learned counsel accept notice on behalf of respondents No.1 and 2 in W.P.(C)3043/2016 and W.P.(c) 3067/2016 respectively.

They pray for and are permitted to file their counter affidavits within a period of two weeks.

Rejoinder affidavit, if any, be filed before the next date of hearing.

List the matter on 12th May, 2016.

Order dasti under the signatures of Court Master.

sd/
MANMOHAN, J

APRIL 05, 2016

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Baird
06/04/2016
Court Master
High Court of Delhi
New Delhi