

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 2548 of 2026****FOR APPROVAL AND SIGNATURE:****HONOURABLE MR. JUSTICE HEMANT M. PRACHCHHAK Sd/-**

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Approved for Reporting	Yes	No
		No
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YATIN KHODABHAI DESAI (LEUVA PATEL)

Versus

UNION OF INDIA THROUGH CONTROLLER GENERAL OF
PATENTS,DESIGNS AND TRADE MARK(CGPD TM) & ANR.

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Appearance:

PARTY IN PERSON(5000) for the Petitioner(s) No. 1

MS VYOMA K JHAVERI(6386) for the Respondent(s) No. 1,2

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CORAM:HONOURABLE MR. JUSTICE HEMANT M. PRACHCHHAK**Date : 30/04/2026****ORAL JUDGMENT**

1. **Rule** returnable forthwith. Ms. Vyoma K. Jhaveri, learned Standing Counsel waives service of notice of rule for and on behalf of respondent Nos. 1 and 2.

2. Present petition is filed by the petitioner, who appears as *party-in-person* under Articles 14, 19(1)(g), 21 and 226 of the Constitution of India r/w the provisions under Trade Mark Act,1999 seeking below mentioned relief:-

“25(A). Issue an appropriate writ, order or direction directing the Respondent no. 2-Asst. Registrar of Trade Marks, Ahmedabad - to immediately fix a date for Show Cause Hearing and decide the Petitioner's Trade Mark Application No. 6161550 (Class 14 Series) within a period of four weeks from the date of this order;

[A copy of Trademark Application dated 24-10-2023 is annexed at Annexure - "A", Pg. no. 16 to 17]

25(B). Further direct the Respondents to strictly comply with the directions issued by the Hon'ble Rajasthan High Court in Nirmala Kabra v. Registrar of Trade Marks regarding speedy disposal of pending trademark applications;

[A copy of order dated 07-08-2025 is annexed at Annexure - "F", Pg. no. 25 to 30]

25(C). Declare that the prolonged delay in listing and disposal of the Petitioner's trademark application is arbitrary, unreasonable, and violative of Articles 14, 19(1)(g) and 21 of the Constitution of India;

25(D). Award costs and/or appropriate compensation to the Petitioner for the loss, hardship, and delay suffered due to inaction of the Respondents;

25(E). Pass any other and further orders as may be deemed just, proper, and equitable in the interest of justice.

Interim Prayer

26. Pending admission, hearing and final disposal of this petition, the Petitioner respectfully prays that this Hon'ble Court may be pleased to direct the Respondent No. 2 to list the Petitioner's application for Show Cause Hearing within 15 days and file a status report before this Hon'ble Court.”

3. Heard Mr. Yatin Khodabhai Desai who appears as party-in-person, and Ms. Jhaveri, learned Standing

Counsel for the respondents.

4. Today, the petitioner-*party-in-person* submits before the Court that the application of the petitioner bearing Trade Mark Application No.6161550 (Class 14 Series) is pending before respondent No.2. He urges before the Court to direct the respondent No.2 to decide the said application pending before respondent No.2 within some reasonable time period. He relied upon the directions issued by the Rajasthan High Court in case of *Nirmala Kabra vs. Registrar of Trade Marks* and submits that the application filed by him may be decided by respondent No.2, as early as possible.

5. On the other hand, Ms. Vyoma Jhaveri, learned Standing Counsel for respondent Nos.1 and 2 submits that if the application of the petitioner-*party-in-person* bearing Trade Mark Application No.6161550 (Class 14 Series) is pending before respondent No.2, then the same shall be decided, as per time period fixed by this Court.

6. I have perused the record of the petition. It appears from the record that the application of the petitioner-*party-in-person* bearing Trade Mark Application No.6161550 (Class 14 Series) pending before respondent No.2 is not decided till today and it is pending before respondent No.2 since long.

7. In view of the above, the respondent No.2 is hereby directed to decide the application of the petitioner bearing Trade Mark Application No.6161550 (Class 14 Series) within period of three months from the date of receipt of copy of present order, in accordance with law.

8. With the above observations present petition stands disposed of. Rule is made absolute to the aforesaid extent. Direct service is permitted.

(HEMANT M. PRACHCHAK,J)

SURESH SOLANKI