

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE
(Intellectual Property Rights Division)
IPDCR/15/2022
MONGIA STEEL LTD (SR. NO.2/2019/CR/EZ)
Versus
SHREE KHATHU SHYAMJI CEMENT MFG. PVT. LTD.AND ANR.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 22nd April, 2026

Appearance:
Mr. Rajeev Kumar Jain, Adv.
Ms. Yamini Mahawar, Adv.
For the Appellant/Petitioner.

Mr. Swatarup Banerjee, Adv.
Mr. Indrajeet Dasgupta, Adv.
Mr. Madhu Jana, Adv.
For the Controller.

The Court:- Affidavit of service filed in Court today is taken on record.

The respondent no.1 despite service remains unrepresented.

Sufficient opportunity has been granted to the respondent no.1 to appear and represent but the said respondent no.1 has not availed such opportunity. The matter is, therefore, taken up in the absence of the said respondent no.1.

In this rectification application, the petitioner has challenged the registration obtained by the respondent no.1 under the Copy Rights Act, 1957. The applicant has placed the facts of the case to contend that the respondent no.1 was incorporated in 2007 and as such in 2003 as stated in the application for registration, the said respondent could not have carried on business with the mark which it got registered in its name. No further progress could be made due to paucity of time.

Let this matter appear in the monthly list of May, 2026.

(ARINDAM MUKHERJEE, J.)