



OCD-18

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE
[Commercial Division]

IA NO. GA-COM/1/2024
In IPDPTA/64/2022

BASF SE (SR/82/2018/PT/KOL)
Vs
THE DEPUTY CONTROLLER OF PATENTS AND DESIGNS

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : 19th August, 2024.

Appearance:

Mr. Nikunj Barlia, Adv.
Mr. Varun Kothari, Adv.
Mr. S. Munna, Adv.
...for the petitioner

Mr. Swatarup Banerjee, Adv.
Mr. Sukanta Ghosh, Adv.
...for the respondents.

The Court: Mr. Nikunj Barlia, learned Counsel, is appearing for the appellant and Mr. Swatarup Banerjee, learned Counsel, is appearing for the respondents.

The appellant has filed the present application being GA-COM/1/2024 praying for recalling of the order dated 12th May, 2023 wherein this Court has dismissed IPDPTA/64/2022 for non-prosecution.

The appellant has filed affidavit of service. Let the same be kept with record.

Considered the submission made by the Counsel for the appellant.
Perused the application.



This Court finds that sufficient cause has been shown for non-appearance of the Counsel for the appellant on the date fixed.

Accordingly, this Court is of the view that one opportunity should be given to the appellant to argue the appeal on merit.

In view of the above, the order dated 12th May, 2023 is recalled.

IPDPTA/64/2022 is restored in its original file and number.

GA-COM/1/2024 is disposed of.

The appellant is directed to serve the copy of the appeal along with documents to the Counsel for the respondent within two weeks from date.

List this matter on 10th September, 2024.

(KRISHNA RAO, J.)

Sbghosh