

IN THE HIGH COURT OF DELHI AT NEW DELHI

No.....3871-.....DHC/Orgl./IPD

Dated.....14/2/25.....

From:

The Registrar General
Delhi High Court
New Delhi.

To:

OFFICE OF THE
CONTROLLER GENERAL OF PATENTS, DESIGNS
& TRADEMARKS OF INDIA
Email: llc-ipo@gov.in , legal-tmrd@gov.in

C.O. (COMM.IPD- CR) 06/2025

KHATRI TILPATTI BHANDAR PVT. LTD & ANR

.....PETITIONER(S)

Vs

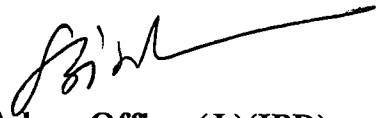
RADHA DEVI KHATRI & ORS

....RESPONDENT(S)

Sir,

Please find enclosed copy of order dated **03.02.2025** passed by **HON'BLE MS. JUSTICE MINI PUSHKARNA** of this Court for information and necessary compliance in terms of order passed by Hon'ble Ms. Justice Prathiba M. Singh dated 23.11.2023 in case C.O.(COMM.IPD-TM) 154/2021. The relevant part of the same reads as under:-

"The office of CGPDTM shall take steps to ensure that in future, whenever cancellation petitions are filed and notice is being issued by the High Court, the same is duly reflected in the website of the IPO."


Admn. Officer (J.) (IPD)
for Registrar General
RR

Encl. : 1) Copy of the order dt: 03.02.2025
2) Copy of Memo of Parties



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ C.O.(COMM.IPD-CR) 6/2025 & I.A. 2884/2025, I.A. 2887/2025,
I.A. 2888/2025

KHATRI TILPATTI BHANDAR PVT. LTD & ANR.Petitioners

Through: Ms. Sakshi Bhasin, Ms. Tanishqua
Pande, Advocates (M:9554687969)

versus

RADHA DEVI KHATRI & ORS.Respondents

Through: Ms. Nidhi Raman, CGSC with Mr.
Arnav Mittal, Mr. Zubin Singh,
Advocates for R-3

**CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA**

ORDER
03.02.2025

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I.A. 2888/2025 (Exemption from filing original and clear copies of documents)

1. The present is an application under Section 151 of the Code of Civil Procedure, 1908 ("CPC"), on behalf of the petitioners, seeking exemption from filing original/certified and clear copies of documents with correct margins.
2. Exemption is granted, subject to all just exceptions.
3. Petitioners shall file legible, clear, and translated copies of the documents, on which the petitioners may seek to place reliance, before the next date of hearing.



4. Accordingly, the present application is disposed of.

I.A. 2887/2025

5. The present application has been filed under Section 151 CPC seeking summoning of the record pertaining to the impugned copyright registration registered under no. *17165/2020-CO/A*.

6. Learned counsel for respondent no.3, is directed to file the requisite documents before this Court.

7. With the aforesaid directions, the present application is disposed of.

C.O.(COMM.IPD-CR) 6/2025 & I.A. 2884/2025 (Application under Order XXXIX Rules 1 and 2)

8. The present rectification petition has been filed under Section 50 of The Copyright Act, 1957, seeking expunction/removal of the entry made in the Register of Copyright in respect of the art work registered under Diary no. *17165/2020-CO/A*.

9. Learned counsel for the petitioners submits that the impugned copyright and artistic label is identical with and deceptively similar to the petitioner's copyright/ artistic label in each and every respect, including phonetically, visually, structurally, in basic idea, in their essential features, in their placements as well as in their artistic features. She further submits that there is an injunction order dated 15th January, 2024 passed by the Patiala House Court, operating against the respondent nos. 1 and 2.

10. Issue notice. Notice is accepted by learned counsel for respondent no. 3.

11. Let notice be issued to respondent nos. 1 and 2 by all modes.

12. Reply be filed within a period of four weeks. Rejoinder thereto, if any, be filed within a period of two weeks, thereafter.

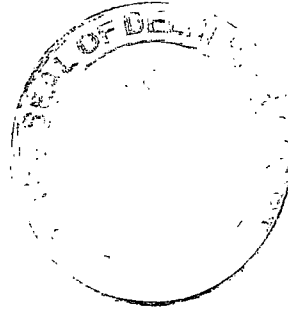


13. Re-notify on 17th April, 2025.

MINI PUSHKARNA, J

FEBRUARY 3, 2025

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IN THE HIGH COURT OF DELHI AT NEW DELHI
(CIVIL ORIGINAL COMMERCIAL IP DIVISION)
C.O. (COMM. IPD-CR) No. 6 OF 2025

IN THE MATTER OF:

KHATRI TILPATTI BHANDAR PVT. LTD AND ANR. ...Petitioners
VERSUS
RADHA DEVI KHATRI AND OTHERS ...Respondents

MEMO OF PARTIES

1. **KHATRI TILPATTI BHANDAR PVT. LTD.**
NEAR ROADWAYS BUS STAND
AJMER ROAD, BEAWAR-305901. RAJASTHAN
EMAIL ID: ...Petitioner No. 1
 2. **KHATRI TILPATTI BHANDAR PVT. LTD.,**
NEAR ROADWAYS BUS STAND
AJMER ROAD, BEAWAR-305 901, RAJASTHAN
EMAIL ID: ...Petitioner No. 2
- Versus
1. **RADHA DEVI KHATRI**
NEAR TEJAJI THA DELAWARA ROAD,
SHERA KI BAWRI, BEAWAR,
RAJASTHAN – 305901
EMAIL ID: jitendra0055@gmail.com ...Respondent No.1
 2. **M/S. KHATRI ORGANICS,**
NEAR TEJAJI THA DELAWARA ROAD,
SHERA KI BAWRI, BEAWAR,
RAJASTHAN – 305901
EMAIL ID: jitendra0055@gmail.com ...Respondent No.2

3. THE REGISTRAR OF COPYRIGHT

BOUDHIK SAMPADA BHAWAN,
PLOT NO. 32, SECTOR 14,
DWARKA, NEW DELHI-110078
EMAIL ID: registrar.copyrights@gov.in

...Respondent No. 3

B. Sakshi

(SAKSHI BHASIN) (TANISHQUA PANDE)

Advocates for the Petitioner

M/s. M.D. & ASSOCIATESA157-B, Opposite The Khaitan School,
Noida, Uttar Pradesh- 201303Email – info@mdandassociate.com

- 9999372279 & 9554687969

Place: NEW DELHI
Dated: 18.01.2025

D/2966/2010