

14.10.2026

Court No.32

DL/Item No.-1

pp.

**IN THE HIGH COURT AT CALCUTTA
Intellectual Property Rights Division
Constitutional writ Jurisdiction
Appellate Side**

WPA-IPD 4 of 2026

**Parle Products Private Limited
versus
Union of India & Ors.**

Mr. Sayantan Basu, Sr. Adv.
Mr. Tanmoy Roy,
Mr. Deep Bhattacharya,
Mr. Dripto Bhattacharya

....for the petitioner.

Mr. Indrajeet Dasgupta

....for the respondent nos.1 to 4.

The writ petitioner has filed an application for cancellation of the design registered in the name of respondent no.5.

The respondent no.5 remains unrepresented despite service.

It is the case of the writ petitioner that the said application for cancellation of the registration of the design, being Design No.285073 has been filed on 13th August, 2019, but has not yet been heard and disposed of.

The writ petitioner, therefore, seeks a direction upon the Controller General of Patents, Designs and Trade Marks to direct the concerned Controller/Joint Controller, before whom the application for cancellation is pending, to dispose of the same as expeditiously as possible.

Mr. Dasgupta, learned advocate, appearing on behalf of the respondent nos.1 to 4 submits that already a notice has been issued on 5th October, 2026 by the Deputy Controller of Patents & Designs to the writ petitioner and the respondent no.5 informing them that the hearing of the cancellation petition shall take place on 27th November, 2026 from 11.30 a.m. onwards before the said Deputy Controller.

A copy of the said notice dated 5th October, 2026 placed before the Court is taken on record.

In the aforesaid facts and circumstances, this writ petition is taken up and disposed of in the absence of the respondent no.5 by directing the Deputy Controller of Patents & Designs, who has issued the hearing notice dated 5th October, 2026, to conclude the hearing and dispose of the application as expeditiously as possible, but not beyond 15th January, 2027.

The writ petition is accordingly disposed of.

Since I have not called for any affidavit, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

All parties shall act on the basis of a server copy of this judgment and order duly downloaded from the official website of this Court. The writ petitioner shall communicate this order to the respondent no.5.

(Arindam Mukherjee, J.)