

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
INTELLECTUAL PROPERTY RIGHTS DIVISION

IPDATM/149/2023

BISWANATH HOSIERY MILLS LIMITED (SR NO 52/2020/TM/KOL)
VS.
MICKY METALS LIMITED AND ANR.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 1st September, 2026.

Mr. Debnath Ghosh, Sr. Adv., Mr. S. Dasgupta, Mr. Baijayanta Banerjee,
Mr. Pradipta Bose, Mr. Arghodip Das, Advocates for the petitioner.
Mr. Hareram Singh, Mr. Saptarshi Rajan Chatterjee, Advocates for respondent.

The Court : This rectification application has been brought into the list on being mentioned as the parties have settled the disputes *inter se* in connection with the use of the mark of which rectification has been sought for. The parties have placed before the Court an order of the Division Bench dated 2nd April, 2026 passed in APD/10/2025 and IA No.GA-COM/2/2025 wherein the settlement between the parties in the suit on the basis of a terms of settlement filed before the Appeal Court has been recorded. A decree has been passed on the basis of the terms of settlement and the same has been directed to be drawn up and completed expeditiously.

Nothing survives in this matter as the rectification application is an offshoot arising at the instance of the defendants in the suit. A photocopy of the terms of settlement dated 30th March, 2026 filed in suit, the original whereof has been filed before the Appeal Court is placed before the Court

and taken on record. The photocopy bears the signature of the petitioner and the respondent and/or their respective officers as also their respective advocates. The clauses of the terms of settlement appears to be lawful.

The rectification application being IPDATM 149 of 2023 is disposed of recording the settlement as contained in the various clauses of the said terms of settlement which are applicable to this application.

The Trade Mark registry is directed to take expeditious steps for the rectification of the mark as agreed upon in the terms of settlement dated 30th March, 2026.

(ARINDAM MUKHERJEE, J.)