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**\*IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5590/2015, CM No. 10090/2018**

SHAMNAD BASHEER

..... Petitioner

Through : Mr. N. Sai Vinod, Advocate

versus

UNION OF INDIA & ORS

..... Respondents

Through : Mrs. Maninder Archarya,  
ASG with Mr. Amit  
Mahajan, CGSC/UOI  
Mr. Rajiv Nayyar, Senior  
Advocate with Mr. Ashutosh  
Kumar, Mr. Prateek  
Sehrawat, Mr. Aditya  
Jayaraj and Mr. Devanshu  
Khanna, Advocates  
Ms. Rajeshwari H and Mr.  
Tahir A.J. Advs. for  
intervenor-Natco  
Mr. Rajiv Kumar  
Choudhary, Adv. for TEMA  
Intervenor  
Ms. Neha Mathen, Adv. for  
R-4

+ **W.P.(C) 4676/2014**

SHAMNAD BASHEER

..... Petitioner

Through Mr. N. Sai Vinod, Advocate

versus

UNION OF INDIA & ORS

..... Respondents

Through Mrs. Maninder Archarya,  
ASG with Mr. Amit  
Mahajan, CGSC/IOI

**CORAM:**  
**HON'BLE THE ACTING CHIEF JUSTICE**  
**HON'BLE MR. JUSTICE C.HARI SHANKAR**

**ORDER**  
**15.03.2018**

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**CM No. 10091/2018**

Exemption allowed subject to all just exceptions.

Application is disposed of.

**W.P.(C) 5590/2015, CM No. 10090/2018 and W.P.(C) 4676/2014**

1. Copy of the circular dated 1<sup>st</sup> March, 2018 has been handed over to this Court and the same is taken on record.
2. Vide this circular, the Office of the Controller General of Patents, Designs & Trade Marks has invited meeting of stakeholders regarding issues relating to working of patents under the Patents Act, 1970. The Controller General of Patents, Designs & Trade Marks has requested the stakeholders to submit their comments on the issues relating to working of patents i.e. Section 146 of the Patents Act, 1970 (as amended) read with Rule 131 of Patent Rules 2003 including Form 27, and penal provisions provided in Section 122.

3. Time has been given to stakeholders to submit comments till 16<sup>th</sup> March, 2018 and a meeting has been scheduled on the 21<sup>st</sup> of March, 2018. This is a healthy step for addressing the several issues flagged by the petitioner.
4. Mr. N. Sai Vinod, learned counsel who appears for the petitioner has drawn up our attention to an affidavit dated 13<sup>th</sup> March, 2018 (page 1080) wherein it is stated that the consideration of the comments; effectuating the necessary amendments in the statutory rules may take around 12 months.
5. We are informed by Ms. Maninder Acharya, learned ASG on instructions from Dr. Suman, Deputy Controller that this affidavit was actually drawn up in February, 2018 (as is manifested from the date thereon) when the circular dated 1<sup>st</sup> March, 2018 had not been issued.
6. We direct the respondent no.1 to place before this Court a reasonable time line within which the consultation would be completed, suggestions received examined and such amendments as may be deemed necessary would be effected under the Patents Act 1970. Such affidavit shall be filed within one week of 21<sup>st</sup> March, 2018, when the stakeholders meeting is proposed to be convened.
7. For enabling effective participation, let the comments received be immediately posted on the website.
8. List on 23<sup>rd</sup> April, 2018.

9. *Dasti* under signatures of Court Master.

**ACTING CHIEF JUSTICE**

**C.HARI SHANKAR, J**

**MARCH 15, 2018**

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