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- * **IN THE HIGH COURT OF DELHI AT NEW DELHI**
- + LPA 27/2026, CAV 24/2026, CM APPL. 3619/2026, CM APPL. 3620/2026, CM APPL. 3621/2026 & CM APPL. 3622/2026

ORIENT CABLES (INDIA) LIMITEDAppellant

Through: Mr. Chander M. Lall, Sr. Adv. with Mr. Kapil Wadhwa, Mr. Raghav Wadhwa, Mr. Anish Jandial, Mr. Amitoj Chaddha and Ms. Annanya Mehan, Advs.

versus

**OFFICE OF THE REGIONAL DIRECTOR
NORTHERN REGION MINISTRY OF
CORPORATE AFFAIRS & ORS. & ORS.**Respondents

Through: Mr. Gaurav Bharathi, SPC with Mr. Debasish Mishra, GP for R-1 Mr. Abhishek Malhotra, Sr. Adv. with Mr. Angad Singh Dugal, Mr. Govind Singh Grewal, Ms. Srishti Gupta, Ms. Kanishka Singh, Mr. Kartikey Dutta and Ms. Anukriti Dutta, Advs.

CORAM:

**HON'BLE MR. JUSTICE C. HARI SHANKAR
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA**

JUDGMENT (ORAL)

03.02.2026

C.HARI SHANKAR, J.

1. According to us, this LPA is completely unnecessary.
2. Respondent 3 filed an application under Section 16(1)(b)¹ of the

¹ 16. **Rectification of name of company.** —

(1) If, through inadvertence or otherwise, a company on its first registration or on its registration by a new name, is registered by a name which,—



Companies Act, 2013, before the Registrar of Companies, for directing the appellant to change its name on the ground that the corporate name of the appellant was identical to or closely resembling the trademark of Respondent 3. The Regional Director, in the office of the ROC, is presently *in seisin* thereof.

3. The appellant filed a reply before the Registrar, in which it took the stand that Section 16(1)(b) application of Respondent 3 was barred by time. It was also sought to be contended that, during oral proceedings, the appellant was told that the Registrar would proceed under Article 16(1)(a) of the Companies Act.

4. The learned Single Judge has noted the fact that the Registrar of Companies had, before her, clearly stated that the officer would not proceed under Section 16(1)(a) and that, in order to proceed under the said provision, prior notice was required to be issued to the appellant, which had not been issued.

5. As such, there is no dispute about the fact that the proceedings before the Regional Director are under Section 16(1)(b) of the Companies Act.

6. The appellant, as the petitioner before the learned Single Judge,

(b) on an application by a registered proprietor of a trade mark that the name is identical with or too nearly resembles to a registered trade mark of such proprietor under the Trade Marks Act, 1999 (47 of 1999), made to the Central Government within three years of incorporation or registration or change of name of the company, whether under this Act or any previous company law, in the opinion of the Central Government, is identical with or too nearly resembles to an existing trade mark, it may direct the company to change its name and the company shall change its name or new name, as the case may be, within a period of three months from the issue of such direction, after adopting an ordinary resolution for the purpose.



sought quashing of the proceedings on the ground that they were time barred. The case of the appellant was that the time envisaged in Section 16(1)(b) was to reckon from the date of initial incorporation of the company and not from the date on which it was changed to a public limited company.

7. In any event, this objection has specifically been ventilated by the appellant before the concerned officer in writing. The learned Single Judge has been eminently fair to the appellant and has, instead of dismissing the writ petition as premature, directed the adjudicating officer to consider the appellant's prayer for arguments on limitation and while considering the merits of the matter and has further directed that the order, if adverse to the appellant on the aspect of limitation, would remain in abeyance for a period of one week in order to enable the appellant to seek remedies thereagainst, if so advised.

8. We do not see how the appellant could expect anything more from the learned Single Judge.

9. No case for interference with the impugned judgment of the learned Single Judge in exercise of our Letters Patent jurisdiction is made out.

10. The appeal is accordingly dismissed in *limine*.

C.HARI SHANKAR, J

OM PRAKASH SHUKLA, J

FEBRUARY 3, 2026/AR