

\$~51

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

+ **W.P.(C) 9876/2018**

UBE INDUSTRIES INDIA PVT LTD..... Petitioner

Through Mr Darpan Wadhwa, Senior Advocate
with Mr Shmetasree Majumdar, Mr Eva Bishwal,
Mr Tanya Varma, Advocates.

versus

UNION OF INDIA & ANR Respondents

Through Ms Amrita Prakash, CGSC for UOI
With Mr Hari Shankar Sharma, Advocate for R1.
Mr Jayant Mehta, Mr Jaspreet Singh
Kapur, Ms Drishti, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **19.09.2018**

CAV 875/2018

1. The learned counsel for the respondents have entered appearance.
2. The caveat stands discharged.

CM 38474/2018

3. Allowed, subject to all just exceptions.
4. The application is disposed of.

W.P.(C) 9876/2018 & CM No. 38473/2018

5. Issue notice. The learned counsel appearing for the respondents accept notice.
6. The petitioner has filed the present petition, *inter alia*, impugning an

order dated 23.08.2018 passed by respondent no.1 (Regional Director, Northern Region, Ministry of Corporate Affairs) under Section 16 of the Companies Act, 2013, whereby the petitioner has been called upon to change its corporate name. The petitioner had filed a suit (*CS (COMM) No. 807/2017* captioned *UBE Industries Ltd & Anr. v. S. Vijaya Bhaskar & Ors.*), wherein interim orders have been passed restraining respondent no.2 (arrayed as defendant no.2 in the aforementioned suit) from using the trademark UBE. In an appeal [FAO (OS) (Comm) 92/2018], arising out from the interim orders passed in the aforesaid suit, a workable arrangement was arrived at between the parties whereby respondent no.2 is required to give a disclaimer, which reads as: *“This entity or company is not related to UBE Industries Limited Japan and UBE Industries India Private Limited”*.

7. In view of the above, the impugned order is stayed till the next date of hearing.

8. List on 14.02.2019.

VIBHU BAKHRU, J

SEPTEMBER 19, 2018

pkv