

**BEFORE THE PLANT VARIETIES REGISTRY
AT NEW DELHI**

**In the matter of: Opposition filed by M/s Nuziveedu Seeds
against Application No. N32/GH07/ 08/ 232 - MRC 7031 -
filed by MAHYCO**

**For the Opponent: Mr. Abhishek Saket, Mr. Rahul Dubey
Advocates for M/s. Infini Juridique.**

**For the Applicant: Mr. Sudarshan Singh Shekawat,
Advocates for M/s. Lakshmikumaran & Sridharan**

ORDER

By previous order dated 17.01.2019 of this Registry Opponent was directed to clarify within a week whether amended copy of notice of opposition has been filed earlier and if so along with proof and copies of the Notice of Opposition.

Heard the parties in this regard.

The counsel for Opponent contends that there were some internal confusion and they have paid costs and they needed some time to file amended copy of notice of opposition and they cited the judgement of Hon'ble Supreme Court in Narayana Pillai -Vs- P. Pillai and Ors., CA No.7222-23 of 1999 where delay in filing amendment even after inordinate delay was condoned and taken on record.

The counsel for applicant vehemently opposes the same. He contended that the judgement is not applicable as it was for filing of the amendment application and not in taking the amended copy on record and a long time has lapsed and hence it cannot be taken on record.

I perused all the documents in this regard and it is a fact that the amended notice of opposition in respect of the MRC 7031 has not been filed though costs have been filed and at this stage it cannot be taken on record after such an inordinate delay and accordingly the application for amendment filed by the Opponent in the instant matter is hereby rejected and the Opposition will proceed without any amendment.

In the instant matter, Pleadings and Evidence of both the parties are complete and copy of the evidence of the applicant is served on the counsel for opponent. Hence the matter is posted for final hearing on 28th February, 2019 at 02:30 PM. Registry is directed to place the application which is the subject matter of opposition along with all records and DUS test reports for final hearing. No further adjournment will be granted in this matter.

Given under my hand and seal on this the 24th day of January, 2019.

Sd/-
(R.C.AGRAWAL)
REGISTRAR-GENERAL

**RECEIVED THE COPY OF THE ORDER DATED 24TH
JANUARY, 2019 PASSED BY LD. REGISTRAR-
GENERAL IN MRC 7031**

| Name of the Counsel | Signature |
|---|------------------|
| 1) M/s. Infini Juridique (Counsel for Opponent) | |
| 2) M/s. Lakshmikumaran & Sridharan (Counsel for Applicant) | |