

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

A No. 2 of 2008

IN THE MATTER OF: - Petition under Section 24(5) of
PPV&FR Act, 2001 filed by MAHYCO against Prabhat.

IN THE MATTER OF: -

MAHYCO

.....APPLICANT

-Versus-

PRABHAT

...RESPONDENT

For the Applicant: - Mr. Prasanth Pakkidey, Ms. Shivi
Sethi, M/s. Luthra & Luthra

For the Respondent:- Mr. Abhishek Saket, M/s. Infini
Juridique

ORDER

The counsel for Respondent contended that these matters may be taken up for hearing after the disposal of CA No.19653 & 19654/2017. Per contra the counsel for applicant objected to the same stating that there is a stay restoring Section 24(5) of the PPV&FR Act, 2001 and hence the matter can be proceed further.

In fact there is a stay in the said appeals restoring Section 24(5) of PPV&FR Act, 2001. There is no legal bar in hearing applications under Section 24(5) and it is also needless to say that all the decisions of this Registry in Section 24(5) applications shall be subject to the outcome of

CA Nos.19653 & 19654/2017 pending on the file of Hon'ble Supreme Court of India.

The counsel for applicant states that since their evidence was filed long back and they have to confirm the status of the deponent and hence time may be granted.

Accordingly time for filing evidence if necessary by applicant or to confirm the earlier evidence is granted to the applicant upto 27th February, 2019.

The matter is posted for hearing on 11th March, 2019 at 15:00 hrs.

Given under my hand and seal on 5th day of February, 2019

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