

Haider Iqbal vs the Controller of Patents and Designs

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Court : Delhi

Decided On : May-14-2026

Judge : Hon'Ble Mr. Justice Tushar Rao Gedela

Appeal No. : W.C.(C)-IPD/21/2026

Appellant : Haider Iqbal

Respondent : The Controller of Patents and Designs

Advocate for Def. : Ms. Nidhi Raman, Ms. Nikita Singh

Advocate for Pet/Ap. : Ms. Rajeshwari, Ms. Garima Joshi, Ms. Sawani Chothe

Judgement :

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C)-IPD 21/2026, CM 132/2026, CM 133/2026 & CM 134/2026
HAIDER IQBALPetitioner Through: Ms. Rajeshwari, Ms. Garima
Joshi and Ms. Sawani Chothe, Advocates.

versus

THE CONTROLLER OF PATENTS AND DESIGNSRespondent
Through: Ms. Nidhi Raman, CGSC with Ms. Nikita Singh, Advocates.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% 14.05.2026

1. This is a writ petition filed under Articles 226 and 227 of the Constitution of India, 1950, seeking direction to the respondent for expeditious disposal of the review petition dated 22.07.2022.

2. Petitioner states that the Indian Patent application no. 202011052025

titled Portable Bag was filed on 30.11.2020, which was published under Patents Act, 1970 (hereinafter referred to as The Act) on 03.12.2021. Consequent to publishing, the petitioner submitted a request for examination on 06.01.2022. Resultantly, the First Examination Report (hereinafter referred to as FER) was issued by the respondent on 10.02.2022. In response to the said FER, the petitioner filed its response alongwith amendments to the claim on 05.04.2022.

3. The learned Controller issued hearing notice scheduling the date of hearing on 09.05.2022. The petitioner was heard and had filed its post hearing written submissions on 24.05.2022. Upon consideration of the said patent

application alongwith the written submissions, the Controller passed the order

dated 24.06.2022, whereby, the application was refused under Section 15 of the Act. W.P.(C)-IPD 21/2026 Page 1 of 3

4. In terms of Section 77(1)(f) of the Act, the petitioner preferred a review petition on 22.07.2022 seeking review of the order dated 24.06.2022 passed by the Controller.

5. After having waited for almost two years, on 18.03.2024, the petitioner sent a communication in the form of reminder to the Patent Office seeking listing of the review petition for hearing. On getting no response, vide the communications dated 05.01.2025 and 05.03.2025, the petitioner again requested that the review petition be taken up for consideration.

6. Finally on 24.09.2025, the Patent Office issued the notice for hearing the review petition scheduling the date of hearing on 09.10.2025. On 09.10.2025, the review petition was heard by the learned Controller, pursuant whereeto, on 13.10.2025, the petitioner filed its written submissions.

7. Having waited for almost three months, the petitioner vide communication dated 29.01.2026 sent a reminder requesting a decision to be passed on the said review petition. Further reminder was sent vide communication dated 11.02.2026 requesting early disposal of the said review petition.

8. Having waited for so long, the petitioner was constrained to file the present writ petition seeking the following reliefs:- 18. In light of the above facts, grounds, and circumstances, it is most respectfully prayed that this Honble Court may be pleased to: a. Allow the present writ petition; b. Issue a writ in the nature of Mandamus, or any other appropriate writ, order, directing the Respondent to re-hear the matter being Indian Patent Application No. 202011052025, and pass a reasoned

order within a stipulated time frame as may be fixed by this Hon'ble

Court;

9. Issue notice.

10. Notice is accepted by Ms. Nikita Singh, learned counsel appearing for

W.P.(C)-IPD 21/2026 Page 2 of 3 the respondent, who, on instructions, states that the learned Controller shall pass its order on the review petition of the petitioner within two weeks from date.

11. Having considered the facts which have arisen in the present case and

also hearing Ms. Rajeshwari, learned counsel for the petitioner and Ms. Singh, learned counsel for the respondent, this Court is of the considered opinion that it would be in the interests of justice to afford an opportunity to the petitioner to address arguments on the review petition inasmuch as the hearing was conducted on 09.10.2025, which is almost six months when it was last heard.

12. Consequently, the learned Controller is directed to afford one

opportunity only for the purposes of hearing the petitioner in regard to the review petition before passing orders thereon. It is made clear that the petitioner shall not be afforded any opportunity to file any fresh written submissions or any documents other than what has already been filed or argue beyond what was already argued by the petitioner.

13. The Controller is requested to issue a hearing notice within one week to the petitioner and after affording an opportunity of hearing, dispose of the review petition within three weeks from receipt of copy of this order.

14. Resultantly, the petition is disposed of in the above terms. TUSHAR RAO GEDELA, J MAY 14, 2026 Sumit W.P.(C)-IPD 21/2026 Page 3 of 3

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