

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

In the matter of: Opposition filed by M/s Nuziveedu Seeds
against

1. Application No. N66/ GH49/ 08/ 275 - C5096 - filed by
MAHYCO.
2. Application No. N64/ GH47/ 08/ 273 - C5195 - filed by
MAHYCO
3. Application No. N55/ GH36/ 08/ 262 - MRC 6029 - filed
by MAHYCO
4. Application No. N105/ GH112/ 08/ 362 - MRC 7045 BG II
- filed by MAHYCO
5. Application No. N29/ GH2/ 08/ 227 - MRC 7347 BG II -
filed by MAHYCO
6. Application No. N35/ GH2/ 08/ 235 - MRC 7929 BG II-
filed by MAHYCO
7. Application No. N93/ GH85/ 08/ 318 - G8855424 - filed by
Monsanto
8. Application No. N90/ GH82/ 08/ 315 - G4321920 - filed by
MONSANTO
9. Application No. N77/ GH64/ 08/ 295 - 4206336B - filed by
BHARTI SEEDS
10. Application No. N30/ GH05/ 08/ 230 - MRC 7017 - filed
by MAHYCO
11. Application No. N32/GH07/ 08/ 232 - MRC 7031 - filed
by MAHYCO
12. Application No. E206/GH37/08/263-MRC 6322 Bt 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, Ms.
Gunjan Hans, Advocates for M/s. Lakshmikumaran &
Sridharan

ORDER

By previous order dated 03.08.2018 of this Registry
both the parties were directed to file in writing their

submissions relating to receipt/ payments of costs in respect of these matters. Accordingly, both the parties have filed their submissions. Heard the parties in this regard.

The counsel for applicant contends that costs of Rs.34,000/- has been received by them and remaining Rs.2000/- is in short and accordingly opponent will have to clarify the application wherein there is a shortfall of payment of costs and the same is liable for rejection. Per contra the counsel for Opponent submits that by order dated 23.5.2014 of this registry Rs. 3000/- costs was imposed for each of the oppositions which are the subject matter of this order other than MRC 6322 Bt in respect of which costs of Rs.1000/- was ordered.

I perused all the documents in this regard and I agree with the counsel for opponent in this regard that a cost of Rs.5000/- was imposed on each of the oppositions mentioned herein (other than MRC 6322 Bt) out of which Rs.3000/- has to be paid for counsel for applicant and Rs.2000/- to be paid for National Gene Fund. For MRC 6322 Rs. 1000/- has to be paid for counsel for applicant and Rs.1000/- for National Gene Fund. Accordingly a total of Rs.34,000/- has been paid to counsel for applicant and Rs.23,000/- has been paid to National Gene Fund and accordingly the order of this Registry has been complied. However, the Opponent has not filed the amended copy of MRC 7031 in respect of which costs have been paid.

Accordingly the copies of amended notice of opposition in the 11 matters (apart from MRC 7031) are served herewith on the counsel for applicant for filing of counter statement in accordance with law and in respect of MRC 7031 the Counsel for Opponent must 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. The hearing in MRC 7031 is posted on 24th January, 2019 at 15:00 hrs.,

Given under my hand and seal on this the 17th day of January, 2019.

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

RECEIVED