

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

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

1. Application No. E198/ GH4/ 08/ 229 - MRC 7301 BG-II -  
filed by MAHYCO.
2. Application No. E196/ GH1/ 08/ 226 - MRC 7351 BG-II -  
filed by MAHYCO.
3. Application No. E145/ GH176/ 08/ 535 - MRC 7383 BG-II  
- filed by MAHYCO.
4. Application No. E205/ GH33/ 08/ 259 - MRC 6918 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 background is that by the order dated 22nd November, 2016 costs of Rs.2000/- were imposed for taking on record the amended notice of opposition with a condition that Rs.1000/- would be paid to Counsel for Applicant and

another Rs.1000/- would be paid to National Gene Fund. The said order has not been complied.

The counsel for opponent has stated that in respect of the four matters which are the subject matter of this order they have not paid costs as they have misplaced the order dated 22nd November, 2016 in their office and they were unable to trace the same and no prejudice would be cause if two weeks time is granted to comply the order dated 22nd November, 2016.

The counsel for applicant vehemently opposes the same and states that the oppositions are liable to be rejected.

Further the Opponent has filed amended notice of opposition in respect of MRC 7301 but costs have not been paid.

I am of the firm view that the order dated 22<sup>nd</sup> November, 2016 of this Registry has not been complied and accordingly there is no question of allowing the amendment of notice of opposition. The registry is hereby directed to process the unamended oppositions further in accordance with law.

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

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