

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

Oppn. No. 1 of 2026

IN THE MATTER OF: Notice of Opposition filed by M/s Premium Seeds Pvt. Ltd against the registration of New Hybrid Variety, Okra/Lady's Finger (*Abelmoschus esculentus* (L.) Monech.) variety with denomination NS 7801 filed by M/s Namdhari Seeds Pvt. Ltd.

IN THE MATTER OF: -

M/s Premium Seeds Pvt. Ltd.

... Opponent

-Versus-

M/s Namdhari Seeds Pvt. Ltd.

... Applicant

For the Opponent: Sh. Uday Kumar H. R., CEO and Lead (R&D), M/s Premium Seeds Pvt. Ltd.

For Applicant: Dr. Deepa Kachroo Tikur and Sh. Kapil Kumar, Advocates, M/s K&S Partners.

ORDER

(Matter heard through hybrid mode)

By this order I shall dispose of the PV-5 application filed by Applicant to extend the time by three months for filing of Counter statement in the instant matter.

The Applicant is the Applicant and the Opponent is the Respondent in the instant matter. For the sake of convenience, the parties are referred to in the nomenclature as in Opposition Proceedings itself that is Opponent for Opponent and Applicant for Applicant.



Heard the Parties.

FACTS: -

The Applicant on 14th May, 2024 has filed Application No. A. No. N2 AE3 24 107 for registration of New Hybrid Okra/Lady's Finger (*Abelmoschus esculentus* (L.) Monech.) denominated as "NS 7801" with Acknowledge Receipt No. REG/2024/107. The same was Advertised in Plant Variety Journal Vol. 20 No. 1 (January, 2026) uploaded on February 2, 2026 in the website of the Authority with digital signature of Registrar for inviting Oppositions under section 21 of the PPVFR Act, 2001. The Opponent filed Notice of Opposition on 24th April, 2026. Subsequently there were defects in the same and which were cured by the opponent and the Opposition was dispatched to the Applicant on 21st May, 2026. The said Notice of Opposition was received by the Applicant on 26th May, 2026. The Applicant in the meanwhile filed PV-33 on 9th June, 2026 to inspect the file relating to registered variety of the Opponent based on which the instant Opposition has been filed. Accordingly, the Counter Statement has to be filed on or before 27th July, 2026 (as 26th July, 2026 is a Sunday). On 17th July, 2026 the Applicant filed the instant PV-5 to extend the time by three months for filing the counter statement that is upto 27th October, 2026. The instant PV-5 was forwarded vide this Registry Letter No. PPVFRA/Legal/04/2026/2072 dated 5th August, 2026 to the Opponent with a direction to file written submissions on or before 14th August, 2026. The Opponent on 6th August, 2026 inspected the file relating to registered variety of the Opponent based on which the instant Opposition has been filed. The Opponent subsequently on 17th August, 2026 filed a PV-33 to obtain the certified copies of certain documents from



the file which they have inspected. The Opponent had not filed their written submissions in the instant matter.

CASE OF THE APPLICANT:

The Applicant states that the basis of this application is the registration of Opponent's okra hybrid RIYA (FHOKH-23) with Registration No.REG/2023/0032 which is asserted to be similar to Applicant's variety NS 7801. The Applicant filed PV-33 with the Registry on 9th June, 2026 seeking inspection of the records. The purpose of inspection is to identify relevant documents and seek certified copies of the same. Those documents would be material for understanding factual and legal basis of the rights asserted by the Opponent. The request for extension is made bonafide and that the instant PV-5 be allowed and time be extended by three months for filing counter statement.

CASE OF THE OPPONENT:

The Opponent very fairly stated that they have no objection in allowing the PV-5.

ANALYSIS:

In view of the Opponent's fair submission that they have no objection in allowing the instant PV-5, I hereby allow the PV-5 filed by Applicant to extend the time for filing counter statement from 28th July, 2026 to 27th October, 2026.

There shall be no order as to costs in this matter.

Given under my hand and seal on this 24th day of August

2026.


(D.K AGARWAL)
REGISTRAR GENERAL

