

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

A N. 1 of 2009

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

IN THE MATTER OF: -

Nuziveedu Seeds Pvt. Ltd.,

.....APPLICANT

-Versus-

MAHYCO

...RESPONDENT

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

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

**ORDER**

The counsel for Applicant contended that these matters may be taken up for hearing after the disposal of CA No.19653 & 19654/2017. Per contra the counsel for Respondent 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 filed by applicant is granted upto 27<sup>th</sup> February, 2019.

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

Given under my hand and seal on 5<sup>th</sup> day of February, 2015

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