

ITEM NO.42

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 1431/2019

THE INTERNATIONAL ASSOCIATION FOR

PROTECTION OF INTELLECTUAL PROPERTY (INDIA GROUP) Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(FOR ADMISSION and IA No.187583/2019-APPROPRIATE ORDERS/  
DIRECTIONS)

Date : 18-12-2019 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s) Mr. Arvind P. Datar, Sr. Adv.  
 Ms. Mamta Jha, Adv.  
 Mr. Waseem Shuaib Ahmed, Adv.  
 Mr. Vipul K. Tiwari, Adv.  
 Mr. Sambhav Jain, Adv.  
 Mr. Mohit D. Ram, AOR  
 Ms. Monisha Handa, Adv.  
 Mr. Rajol Shrivastav, Adv.

For Respondent(s) Mr. K.K. Venugopal, Ld. Attorney General  
 Mr. Tushar Mehta, Ld. SG  
 Mr. R. Bala, Sr. Adv.  
 Mr. Ankur Talwar, Adv.  
 Mr. Rajat Nair, Adv.  
 Mr. Kanu Agrawal, Adv.  
 Ms. Chinmayee Chandra, Adv.  
 Mr. Adit Khorana, Adv.  
 Ms. Ramya Khanna, Adv.  
 Mr. Manan Popli, Adv.  
 Mr. Rajeev Ranjan, Adv.  
 Mr. Shantanu Sharma, Adv.  
 Mr. Varun Chugh, Adv.  
 Mr. Bhuvan Kapoor, Adv.  
 Ms. Shraddha Deshmukh, Adv.  
 Mr. B.V. Balram Das, AOR  
 Mr. Santosh Kr. Vishwakarma, Adv.

UPON hearing the counsel the Court made the following  
 O R D E R

Having heard Mr. Arvind P. Datar, learned Senior Counsel  
 appearing for the petitioner and Mr. K.K. Venugopal, learned

Attorney General appearing for the respondent - Union of India and upon perusal of the record, we are of the considered view that the post of Chairman of Intellectual Property Appellate Board (IPAB) cannot be allowed to be vacant.

The appointment process of the new Chairman of the said Board according to law is likely to be complete soon. In the meantime, however, we consider it appropriate to direct that the last incumbent viz., Mr. Justice (Retd.) Manmohan Singh, be allowed to continue as Chairman of IPAB for a period of one year after he attains the age of superannuation as there is no break in service.

Mr. Venugopal, learned Attorney General, seeks time to obtain instructions from the concerned Department of the Government of India about relocation of the Principal Bench of Madras or location of a new Bench to a central place in the country such as Nagpur, Jabalpur, Bhopal, etc.

Order accordingly.

List the matter on 05.02.2020.

(SANJAY KUMAR-II)  
COURT MASTER (SH)

(INDU KUMARI POKHRIYAL)  
ASSISTANT REGISTRAR