

ITEM NO.26

COURT NO.16

SECTION XVI-A

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

TRANSFER PETITION(S) (CIVIL) NO(S). 1960/2026

NATIONAL HEALTH INSTITUTE AND
MEDICAL RESEARCH CENTRE

PETITIONER(S)

VERSUS

MAX HEALTHCARE INSTITUTE LIMITED

RESPONDENT(S)

(IA No. 230357/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 195118/2026 - EXEMPTION FROM FILING O.T.
IA No. 195116/2026 - STAY APPLICATION)

Date : 07-10-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) : Ms. Bansal Charu Subhash- 4278, AOR

For Respondent(s) : Dr. S Muralidhar, Sr. Adv.
Mr. Raunaq Kamath, Adv.
Mr. Divyanshu Rai- 3166, AOR
Mr. Siddharth Varshney, Adv.
Mr. Yash Raj, Adv.
Ms. Ninni Susan Thomas, Adv.
Ms. Megha, Adv.
Mr. K. Rigved Prasad, Adv.
Ms. Apoorva Singh, Adv.

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

1. Dr. S. Muralidhar, learned senior counsel appearing for the respondent, initially argued the matter at length before this Court, opposing the transfer of the suit, being CS (COMM) No. 127 of 2026, titled "*Max Healthcare Institute Limited v. National Health Institute & Medical Research Centre*", pending before the District Judge (Commercial Courts), South District, Saket Complex, New Delhi, to

Signature Not Verified
Digitally signed by
JAGDISH KUMAR
Date: 2026.10.08
16:58:21 IST
Reason:

Commercial Court No. 1, Jaipur Metropolitan-II, Jaipur, Rajasthan. He placed reliance upon the order dated 30.09.2013 passed in *M/s. Mac Charles (I) Ltd. v. M/s. Indian Performing Rights Society Ltd., SLP (Civil) No. 39994 of 2012.*

2. While arguing the matter, learned senior counsel has also placed reliance upon Section 142 of the Trade Marks Act, 1999, and argued that the question of transferring the aforesaid suit from the District Judge (Commercial Courts), South District, Saket Complex, New Delhi, to Commercial Court No.1, Jaipur Metropolitan-II, Jaipur, Rajasthan, does not arise. After relying upon the order passed in *M/s. Mac Charles (I) Ltd. (supra)*, learned senior counsel sought indulgence to place reliance upon another judgment before this Court. The Court granted indulgence and passed over the matter.

3. Upon the matter being taken up again, learned senior counsel drew the attention of this Court to the order dated 10.06.2026 passed in "*National Health Institute and Medical Research Centre v. Max Healthcare Institute Limited*", *Transfer Petition (Civil) No.1663 of 2026*, and submits that the present matter may be placed before the same Bench which had passed the aforesaid order.

4. In light of the aforesaid, the matter be placed before Hon'ble the Chief Justice of India for obtaining

appropriate orders.

5. Interim order dated 22.07.2026 granted by this Court will continue till the next date of hearing.

(JAGDISH KUMAR)
ASTT. REGISTRAR-cum-PS

(KOMAL)
COURT MASTER (NSH)