

21.07.2026

Present: Sh R K Argharwal, Ms Yasheswini Sharma & Sh Vinay Kumar

Padam Ld counsel for the DH.

Sh Sudhir Makkar Ld Senior counsel, Sh Sitikanth Nayak, Ms
Sanya Oberio & Ms Pratiksha Thakur on behalf of M/s Novita
Healthcare Pvt Ltd.

Ld Counsel for the DH has filed amended memo of parties. Since the same is not in consonance with the judgment and decree passed by the court, Ld Counsel for the DH seeks to withdraw the same with liberty to file the same afresh.

Ld Senior Counsel appearing on behalf of M/s Novita Healthcare Pvt Ltd has submitted that against the order dt 30.03.2026, a C M (M)/ petition under Article 227 of the Constitution of India has been preferred and the same is coming up for hearing before Hon'ble High Court of Delhi on 04.08.2026.

Perusal of the record shows that an application u/s 152 CPC has been filed seeking correction in the order dt 30.03.2026 as passed by this court.

Ld Senior Counsel appearing on behalf of M/s Novita Healthcare Pvt Ltd/JD submits that he would highlight the typographical errors in the order dt 30.03.2026 who further submits that in so far as the clerical/typographical errors as mentioned in para 6 in the application are concerned, he has no objection to rectify the same.

Put up the matter on consideration of the application u/s 152 CPC on the aspect of correction of the name of the trademark i.e. CTZ- CTZ 10.

Ld Senior Counsel appearing on behalf of M/s Novita Healthcare Pvt Ltd has filed an application u/s 151 r/w Section 39 seeking stay of the execution proceedings. Copy supplied.

Let a reply to the said application be filed within 2 weeks from today.

The DH has also filed on record an application u/o 13 Rule 9 CPC seeking return of the original documents as filed by the plaintiff.

Ld Senior Counsel appearing on behalf of M/s Novita Healthcare Pvt Ltd submits that he has no objection in case the original document are returned after submitting the certified copies of the same. Accordingly, the application u/o 13 Rule 9 CPC is allowed and let the original documents as mentioned in the application be returned after submitting the certified copies of the same and as per rules.

Ld Senior Counsel appearing on behalf of M/s Novita Healthcare Pvt Ltd on instructions submits that M/s Novita Healthcare Pvt Ltd is still using the trademark viz. CTZ.

Let an affidavit to that effect be filed by M/s Novita Healthcare Pvt Ltd clearly specifying the date from which M/s Novita Healthcare Pvt Ltd is using the trademark viz CTZ till the present day.

List for arguments on both the applications i.e. Section 152 on the aspect of the description of the trademark i.e. CTZ – CTZ 10 and arguments on the application filed u/s 151 r/w Section 39 CPC on **05.09.2026**.

(Sachin Sood)
DJ-01 (Central)
THC, Delhi/21.07.2026.