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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ C.A.(COMM.IPD-TM) 73/2025, I.A. 27272/2025

MAX HEALTHCARE INSTITUTE LTDAppellant

Through: Ms. Sawani Chothe, Advocate

versus

THE REGISTRAR OF TRADEMARKS & ANR.Respondents

Through: Ms. Manisha Agrawal Narain, CGSC
with Navneet Saharan, Advocate and
Ms. Aditi Singh, Government Pleader,
for R-1.

Mr. Ratan K. Singh, Senior Advocate
with Mr. Rajeev Gurang, Mr. Prateek
Khandelwal, Mr. Kanishka Shivhare,
Mr. Anand Murthi Dubey, Mr. Kunal
Thakur, Mr. Manish Tiwari, Advocates
and Mr. Rajan Sakhuja, AR for R-2.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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06.01.2026

1. Mr. Navneet Saharan, learned counsel appearing for respondent no.1 is under instructions to submit that no written reply to the present appeal would be preferred by respondent no.1, however, he would seek some more time to file the written submissions.

IA No..... (Delay) (To be numbered)

2. Mr. Ratan K. Singh, learned senior counsel appearing for respondent no.2 states that though the counter affidavit as well as reply to the application seeking stay of impugned order bearing I.A. 27272/2025 on behalf of respondent no.2 was filed as far back as on 15.12.2025, however, the same has not been placed on record on account of delay of eight days in filing the same.



He states that though the application seeking condonation of such delay is pending before the Joint Registrar, this Court may, if convenient, pass an order on such application.

3. Having regard to the fact that Ms. Sawani Chothe, learned counsel representing the appellant has no objection, the delay of eight days in filing the counter affidavit as well as reply to the I.A. 27272/2025 on behalf of respondent no.2 is condoned.

4. The said counter affidavit as well as reply to I.A. 27272/2025 are taken on record.

5. Ms. Sawani Chothe, learned counsel representing the appellant seeks and is granted four weeks' time to file rejoinder to the counter affidavit as well as reply to I.A. 27272/2025. The copy thereof may be served upon respondent no.2 before the next date of hearing.

6. The Registry is directed to number the application seeking condonation of delay of eight days in filing the counter affidavit as well as reply to I.A. 27272/2025 filed by respondent no.2.

I.A. 169/2026

7. This is an application under Order XI Rule 1(4) (as amended by the Commercial Courts Act, 2015) read with Section 151 of the Code of Civil Procedure, 1908 seeking leave to file additional documents with supporting affidavit.

8. Issue notice.

9. Notice accepted by Ms. Sawani Chothe, learned counsel for the non-applicant/appellant. She states that she has no objection subject to permission being granted to non-applicant/appellant to file additional documents in response or in opposition to the documents sought to be filed under the present application.

10. In view of the above, the application is allowed. The additional



documents as detailed in the accompanying list to the application are taken on record. Simultaneously, the non-applicant/appellant is also permitted to file documents in response or opposition to the additional documents alongwith additional affidavit within four weeks from date. An advance copy whereof be also furnished to the learned counsel for respondent no.2.

11. Accordingly, application stands disposed of.

12. List on 23.03.2026.

TUSHAR RAO GEDELA, J

JANUARY 6, 2026

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