2026 INSC 1170

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.3594 OF 2025

M/S THE SUPREME INDUSTRIES LIMITED ... PETITIONER(S)

VERSUS

M/S SUPREMO INDIA PRIVATE LIMITED ... RESPONDENT(S)

WITH

TRANSFER PETITION (CIVIL) NO.175 OF 2026

J U D G M E N T

S.V.N. BHATTI, J.

1. We have heard the learned Senior Counsel, Mr. Neeraj Kishan Kaul and Ms. S. Janani, for the parties. The Transfer Petitions are between the same parties and are therefore disposed of by this Order.

TRANSFER PETITION (CIVIL) NO.3594 OF 2025

2. The Transfer Petition is at the instance of M/s Supreme Industries Limited. The prayer in the Transfer Petition reads as follows:

Signature Not Verified
Digitally signed by SNEHA DAS
Date: 2026.10.28 18:23:25 IST
Reason:

> *"(i) Transfer the Commercial Suit filed by the Respondent being CS(COMM) No. 134 of 2025 titled "M/s Supremo India Private Limited vs. M/s The Supreme Industries Limited", presently pending before the*

Court of the Learned District Judge (Commercial)/Indore, Madhya Pradesh, to a Court of competent jurisdiction at New Delhi;"

3. M/S The Supreme Industries Limited is the Defendant in CS (Comm) No. 134 of 2025 before the Court of the District Judge (Commercial), Indore. M/s Supremo India Private Limited filed CS (Comm) No. 134 of 2025. The prayers in the Plaint, briefly stated, are as follows:

a) Permanent Injunction restraining the Defendants from manufacturing, advertising, promoting, etc., or from doing any act or taking any action involving the impugned trademark 'SUPREME'.

b) Restraining the defendants from disposing of or dealing with their assets and directing them to disclose their assets.

c) Order the impugned goods to be restrained, disabled, and removed from third-party interactive e-commerce platforms.

d) Pass a decree awarding damages of Rs. 15,00,000/- (fifteen lakhs only) in favour of the plaintiffs.

TRANSFER PETITION (CIVIL) NO.175 OF 2026

4. M/s Supremo India Private Limited is the Petitioner. The Transfer Petition seeks the following reliefs:

> **"*Transfer the Commercial suit bearing number 1294/2025 titled "Supreme Industries Limited vs Supremo India Private Limited and Anr." currently pending before the High Court of Delhi to the Court of Learned District Judge (Commercial Court), Indore, Madhya Pradesh or to any other competent court in Indore;"***

5. M/s The Supreme Industries Limited filed CS (Comm) No. 1294 of 2025 before the High Court of Delhi. The gist of the prayer in CS (Comm) No. 1294 of 2025 is set out below:

a) Permanent injunction restraining the Defendants from infringing the Plaintiff's registered trademark by using, manufacturing, selling, exporting, importing, offering for sale, distributing, and advertising goods bearing a similar or identical mark in virtual and physical marketplaces;

b) Permanent injunction restraining the Defendants and persons claiming through and/or under them from passing off the Plaintiff's trademark by

using, manufacturing, selling, exporting, importing, offering for sale, distributing, or advertising goods bearing a similar or identical mark that may cause confusion and/or deception;

c) Permanent injunction restraining the Defendants from infringing Plaintiff's registered copyright in the label/logo 'SUPREME';

d) Permanent injunction restraining the Defendants and persons claiming through and/or under them from taking unfair advantage of the distinctive character and reputation of Plaintiff's mark, thereby diluting and tarnishing their trademark;

e) Rendition of accounts of profits earned illegally through unauthorised use of Plaintiff's registered trademark;

f) Order of delivery and destruction of infringing products of the Defendants;

g) Damages amounting to Rs. 2,00,01,000/- payable jointly and severally by the Defendants;

h) Declaration of 'SUPREME' as a well-known mark under S.2(1)(zg) of the Trade Marks Act, 1999.

6. The dispute between the parties centres on trademark infringement, etc. In effect, the commercial suits or cross-suits seek prayers restraining the Defendant from causing breach of

trademark, etc. The learned Senior Counsel appearing for the respective parties insisted that the other matter be transferred to the place where his/her client has instituted the Suit. The Counsel are at least in *ad idem* that both matters be tried before one Court. Though they suggest a few alternative places, they oppose the place where the contesting party instituted the suit. The Counsel have allowed the Court to transfer both the matters to one particular Court. We do not refer to some of the contentions canvassed at the Bar and do not express a view on the merits of the matter. By exercising the jurisdiction and discretion vested in the Court, CS (Comm) No. 134 of 2025 in the Court of District Judge (Commercial), Indore, and CS No. 1294 of 2025 before the High Court of Delhi, are transferred to the City Civil Court, Ahmedabad. The Courts where the Suits have been instituted shall transfer the respective Plaints to the City Civil Court, Ahmedabad expeditiously. The parties are directed to appear before the City Civil Court, Ahmedabad on 26.11.2026.

7. The Transfer Petitions are ordered as indicated above.

8. Pending application(s), if any, shall stand disposed of.

.....J.
[S.V.N. BHATTI]

.....J.
[N.V. ANJARIA]

NEW DELHI;
OCTOBER 28, 2026.