

SUPREME COURT OF INDIA

Sas Pharmaceuticals

Vs.

Syncom Healthcare (I) Limited

Transfer Petitioner (Civil) Nos. 721 of 2004

(Ashok Bhan and S. B. Sinha JJ.)

22.07.2005

JUDGMENT

Ashok Bhan, J.

1. This Transfer Petition has been filed by the petitioner under Section 25 of the Code of Civil Procedure for transfer of, Civil Suit No. 33A of 2004 titled M/s Syncom Health Care Ltd. v. M/s SAS Pharmaceuticals pending in the Court of First District Judge, Dhar (Madhya Pradesh) to the High Court of Delhi.

2. After hearing counsel for the parties, we are of the view that Civil Suit No. 33A of 2004 filed by the respondent deserves to be transferred to the High Court of Delhi and to be heard along with Suit No. 968 of 2004 titled M/s SAS Pharmaceuticals v. M/s Emerson Labs Ltd. & M/s Syncom Health Care Ltd.

3. Accordingly, it is directed that the entire record of, Civil Suit No. 33A of 2004 titled M/s Syncom Health Care Ltd. v. M/s SAS Pharmaceuticals pending in the Court of First District Judge, Dhar (Madhya Pradesh) be transferred to the High Court of Delhi. The Registrar on receipt of the entire record of Civil Suit No. 33A of 2004 would post the case for hearing along with Suit No. 968 of 2004 titled M/s SAS Pharmaceuticals v. M/s Emerson Labs Ltd. & M/s Syncom Health Care Ltd.

4. The Transfer Petition is allowed accordingly.