

CS (COMM) 166/26
M/s. H S CREATIONS Vs. TRIPTI CREATIONS

07.09.2026

Present: Ms. Tanu Singhal Ld. Counsel for the plaintiff.

Defendant is yet to be summoned.

1. Ld. Counsel for the plaintiff submits that originally the present suit had been filed as an ordinary civil suit but in amended plaint filed by the plaintiff, inadvertently it has been mentioned as suit under Order 37 CPC. She submits that the present suit may kindly be treated as an ordinary civil suit. A request has been made to issue the summons of the suit to the defendant.
2. Ld. Counsel for the plaintiff pointed out that the plaintiff has already made the payment of cost of Rs.1,000/- imposed by the Ld. Predecessor of this court vide order dated 20.04.2026. She submits that in this regard she has already placed on record the receipt also.
3. Reader to make a report in this regard.
4. In view of the submissions made, the present suit is treated as an ordinary civil suit.
5. Issue summons of the suit as well as notice of the accompanying applications (if any) to the defendant vide PF, Courier, Speed Post and through e-mail as well for **12.10.2026**.
6. Steps be taken within next **one week**.

7. Plaintiff is also directed to file the affidavit of service on the defendant.
8. Written Statement has to be filed by the defendant within **30 days** (*extendable up to 120 days with the leave of the court and subject to terms*) from the date of service of process as per amendment **Proviso of Sub Rule (1) of Order V Rule 1 CPC** as applicable to the **Commercial Courts Act**.
9. Date has been given absolutely as per the convenience of Ld. Counsel for the plaintiff.

(Rajesh Kumar Goel)
District Judge (Commercial Court)-02
Central District, Tis Hazari Courts, Delhi
07.09.2026