

CS (COMM) No. 597/26
Shri Rikab Chand Munot Vs. Konnect Infratech Pvt Ltd

06.07.2026

Present: Sh. Yash Mittal, Counsel for the Plaintiff alongwith Plaintiff.

1. Matter is today fixed for clarification regarding the limitation period and proof of supply of goods.
2. At this stage, hard copy of an application U/o VI Rule 17 r/w Section 151 of CPC alongwith list of documents has been filed on behalf of plaintiff (e-filed on 02.07.2026).
3. It is stated that in the present case, a complaint case is pending between the parties and is now fixed for 12.08.2026.
4. Heard.
5. Perusal of memo of parties reveals that the director of defendant no.1 Company has been impleaded as defendant no.2 in the suit. Being director, he does not have any personal liability, hence, it is not deemed necessary to issue summons to defendant No.2.
6. I have perused the record. In the present case, the claim qua the outstanding bill is of the year 2019.
7. Therefore, leaving the question of limitation open, let the summons of the suit for the settlement of issues and notice of application U/o VI Rule 17 r/w Section 151 of CPC be issued to the defendant No.1 only on filing of PF through concerned Ld. District Judge, U.P as well as through Speed Post and Courier. Mobile No., if any, be mentioned upon the processes.
8. As prayed, the sealed covers containing the summons and complete paper book of the case be handed over

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dasti to the plaintiff/counsel for putting the same in the postal transmission. The original postal receipts along with the downloaded track report from the website of India Post along with a certificate under Section 63 of Bharatiya Sakshya Adhiniyam, 2023 be placed on record by the plaintiff/counsel on the next date.

9. In case the Plaintiff has any e-mail, fax ID or mobile number (having WhatsApp/Gims/Sandes application) or any other electronic address of the defendant No.1, the particulars of the same be filed/furnished in court by the plaintiff vide an affidavit in accordance with Rule 12 of the Delhi Court Services of Process by courier, FAX and Electronic Mail Service (Civil Proceedings) Rule, 2010.

10. If such an affidavit, verifying the correctness of the electronic addresses of defendant No.1, is furnished, the process be sent through electronic mode as well as through the Nazarat Branch enclosing an electronic copy of the plaint and documents which will be furnished by the plaintiff. The plaintiff is also at liberty to serve the defendant no.1 through aforesaid electronic modes and affidavit of service proof be filed on the next date of hearing.

11. In terms of Rule 13, plaintiff is directed to place on record a copy of the plaint and documents in electronic format/scanned images in compliance of Rule 13 for forwarding/annexing/attaching the same with the process.

12. Requisite process fee for sending process by electronic mode in compliance of Rule 14 be also filed along

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with the copies as above for onward transmission to Nazarat Branch, for service through electronic mode.

13. Steps be taken within three days. Ahlmad shall issue the summons within two days of receipt of process and if plaintiff fails to take the steps within three days, on deposit of a cost of Rs.5,000/- with DLSA, Central District, process be issued if the step is taken at least seven days before the next date of hearing failing which the suit shall be dismissed for non-prosecution.

14. The defendant No.1 to file written statement alongwith statement of truth, reply to the application and affidavit of admission/denial of the documents attached with the plaint, as per law and not beyond 30 days from the date of service.

15. **As prayed, be put up for report of service/filing of written statement/reply, if any on 12.08.2026.**

(Devendra Kumar Sharma)
District Judge (Commercial Court-03)
Central/ THC/ Delhi
06.07.2026