

CS (COMM.) 435/26

KAUTILYA TRADERS PRIVATE LIMITED Vs. UNI-CHAND BUILDERS PRIVATE LIMITED AND ORS.

02.07.2026 (At 02:42 p.m.)

Present: Sh. Verdaan Jain, Id. counsel for plaintiff.

1. This suit was filed during vacation and though ex-parte injunction order was passed as well as orders were also passed to issue summons, but no steps were taken on behalf of plaintiff for service of summons of suit upon defendants.
2. Today, one affidavit has been filed to show compliance under Order XXXIX Rule 3 CPC stating that the stay order was sent through E-mail and speed post/courier to the defendants.
3. I have perused the plaint and I have some serious questions over maintainability of this suit in its present form before this court. There is no pleading at all in respect of limitation in the plaint, which is a mandatory part of pleading.
4. The relief regarding declaration and injunction has been sought in respect of one immovable property and it needs to be explained with reference to relevant law, whether the valuation has been properly and legally made, especially for the purpose of jurisdiction of the court. Since limitation is not explained, on the record there is nothing for this court to take a call in respect of limitation. The form of relief claimed in the suit in its present formate shall also be explained with reference to relevant law provision.
5. Ex-parte injunction order is hereby vacated in view of my serious reservation regarding present form of the plaint as

well as form of the suit and question regarding valuation and jurisdiction of this court.

6. Put up on 17.07.2026.

(Pulastya Pramachala)
District Judge (Commercial Court-01),
Patiala House Courts Complex,
New Delhi/02.07.2026