

Aneeta Leekha Vs. Kotak Mahindra Bank Ltd.
CS (COMM) No. 769/2025.

08.10.2025 (At 2:16 PM)

Fresh suit is received by way of random allocation. It be checked and registered.

Present : Sh. Raman Gandhi, Ld. Counsel for the plaintiff.

My attention is taken to an order dated 23.07.2025 passed by Hon'ble High Court of Delhi in TR.P.(C).128/2025.

Briefly stated, plaintiff filed a suit against the defendant, which was tried before District Judge-2, New Delhi District, Patiala House Court. In that proceeding a finding was given by Id. Judge that the matter pertained to commercial dispute and accordingly, plaint was directed to be returned. Plaintiff challenged that order before Hon'ble Delhi High Court in FAO 75/2025, which was dismissed vide judgment dated 27.03.2025. Thereafter, plaintiff filed petition under Section 24 CPC for transfer of same matter, with prayer to resume the proceedings from the same stage, when aforesaid finding was given by Id. District Judge-02, Patiala House Courts. In T.RP 128/2025, vide order dated 23.07.2025, Hon'ble High Court on the basis of consent and statement given by Counsel for defendant, directed that on presentation of that plaint before the Commercial Court, the Court shall proceed with the matter based on the existing record of CS 816/2019 from the stage of which the matter is, without a *de novo trial*.

In such situation, in view of aforesaid order, issue notice to defendant on PF and through DTDC Courier to appear

on next date. In the meantime, judicial record of CS 816/2019 be summoned.

Put up on **07.11.2025**.

Pulastya Pramachala
District Judge (Commercial Court)-01
Patiala House Court, New Delhi.
08.10.2025