

08.04.2026

Present: Sh. Abhishek Mawi, Ld. counsel for the plaintiff.
Sh. Varun Ranjan, Ld. Counsel for the defendant no. 1.
Ms. Prerna Chaturvedi, Ld. Counsel for the defendant no.
2 (through VC)

An affidavit of compliance under Order 39 Rule 3 CPC had been filed on behalf of the plaintiff. Tracking report and original postal receipts have also been filed. The Ahlmad has reported that Sh. Mahavir Mehta/defendant no.2 has been served on 27.03.2026. Be awaited.

(RUBY ALKA GUPTA)
District Judge (Commercial Court)-02
East District/KKD Courts/Delhi
08.04.2026/R

At 12.01 pm

Present: Sh. Abhishek Mawi, Ld. counsel for the plaintiff.
Sh. Varun Ranjan, Ld. Counsel for the defendant no. 1.
Ms. Prerna Chaturvedi, Ld. Counsel for the defendant no.
2 (through VC)

Ld. Counsel for defendant no.1 has filed his vakalatnama.

An application under Order 1 Rule 10 CPC moved on behalf of the plaintiff is pending. Ld. Counsel for the defendants have

not objected to it. By way of the said application, the names of the defendants are sought to be brought on record in place of 'Ashok Kumar'. **The application stands allowed.** Amended memo of parties filed therewith is taken on record.

Order dated 28.02.2026 notes that compliance of Order 39 Rule 3 CPC shall be deemed service on defendants no.1 and 2. The said affidavit notes that they were sent on 07.02.2026. The postal receipts and tracking report filed thereof only shows the parcels delivered till the postal sub-office. The plaintiff had again sent the copies of paper book. The postal receipts and tracking report thereof have also been filed. **The paper book was delivered upon defendant no.2 on 27.03.2026 and upon defendant no.1 on 28.03.2026. The said dates shall be taken as the date of their service.**

Defendants no.1 and 2 may file WS and affidavit of admission and denial as per the Commercial Courts Act, 2015. Advance copy of the WS and affidavit of admission and denial be supplied to the Ld. Counsel for plaintiff under acknowledgment and the WS shall be filed with proof of such service. Replication, if any is sought to be filed by the plaintiff as well as the affidavit of admission and denial of documents of the defendants, if filed, be filed thereafter. Advance copy of the replication and affidavit be supplied to the Ld. Counsel for the defendant under acknowledgment and the same shall be filed with proof of service.

In view of the LCs report, summons for settlement of issues be issued to the defendant no.3 on the addresses, by all modes including authorized courier and SP/AD on filing of PF within a week for **23.05.2026**. Email ID and mobile number of the defendant no.3 be furnished by way of an affidavit if not already furnished. Plaintiff shall forward soft copies of the plaint, documents etc. to the email ID of the court. The date and time of sending the email shall be noted on the PF.

Ahlmad is directed to forward the aforesaid soft copies on the e-mail ID of Nazarat Branch at the earliest along with the summons for settlement of issues to be served upon the defendant, on its email ID.

(RUBY ALKA GUPTA)
District Judge (Commercial Court)-02
East District/KKD Courts/Delhi
08.04.2026/R