

01.02.2025

Fresh case received by way of assignment. It be checked and registered.

Present : Sh. Parveen Garg, Ld. Counsel for Plaintiff.

This is a suit for recovery of amount against the Defendant.

It is submitted before me that pre-institution mediation was attempted but resulted in a non-starter. Therefore, compliance of Section 12A of the Commercial Courts Act has been made. Non Starter Report is filed at page no. 69.

I have perused the contents of plaint and annexures. The Statement of Truth could not contain the appropriate provisions of The CC Act, 2015 and the Index of plaint is not properly filed in respect of the list of documents and affidavit under Order 11 Rule 6 CPC. Ld. Counsel ensures to make good the defects within a week.

Subject to furnishing/complying with the same as above, issue summons of suit (in the prescribed form viz., the summons for settlement of issues) as well as of the accompanying applications with all the annexed documents upon defendant through all modes & through e-mail and Whatsapp as well on filing of PF/RC-AD/ speed post/ courier, returnable for NDOH.

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.

Requisite process fee for sending process by electronic mode in compliance of Rule 14 be also filed along with the copies as above for onward transmission to Nazarat Branch, Tis Hazari Courts.

Process should also state that the Written Statement has to be filed 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 amended CPC (as applicable to Commercial Courts).

Put up for 03.03.2025. Steps be taken at the earliest.

(Ravinder Bedi)
District Judge (Commercial Court)-12
Central District, Tis Hazari Courts /Delhi
01.02.2025