

CS (Commercial) No. 2045/2021
ICICI Bank Ltd. Vs. Uday Pratap

28.06.2021 onwards till 07.08.2021

The entire world has been engulfed by the pandemic of Covid-19 a.k.a. Corona Virus attack. This has resulted in the lockdown in various phases.

As per the directions of the Hon'ble High Court of Delhi vide office order no. 256/RG/DH/2021 dated 08.04.2021, 2/R/RG/DHC/2021 dated 19.04.2021 and 5/R/RG/DHC/2021 dated 23.04.2021, the functioning of the Court subordinate to Delhi High Court shall continue to remain suspended till 15.05.2021 and only the urgent cases shall be taken up through video-conferencing and the similar directions have been passed vide order no. 6/R/RG/DHC/2021 dated 14.05.2021, vide order dated 536/EST/E.V./DHC/HPL.CL.2021 dated 28.05.2021 and vide order no. 339/RG/DHC dated 28.06.2021 till 23.07.2021.

Further vide order no. 438/RG/DHC/2021 dated 22.07.2021, it has been directed by the Hon'ble High Court of Delhi, that all the matters shall be taken up through video-conferencing w.e.f. 24.07.2021 till 14.08.2021.

(Man Mohan Sharma)
District Judge,(Commercial Court)-06
Central District, THC Court/09.08.2021/ak

09.08.2021

Fresh suit received by way of e-filing on 16.06.2021 and physical received in the Court on 28.06.2021. It be checked and registered. All the miscellaneous applications be registered in the category of IA(s).

Present: Ms. Chetna Bhalla, ld. Counsel for the plaintiff.

Case taken up through video conferencing on Cisco Webex Platform.

Heard.

It is submitted that the recourse to pre-litigation mediation under section 12A of the Commercial Courts Act, could not be taken as the plaintiff has instituted the present suit seeking urgent relief.

Heard on the application U/o 40 Rule 1 read with Section 151 CPC for appointment of Receiver to repossess the hypothecated vehicle.

Vide my separate order, the application is allowed on the terms stated therein.

Issue notice of suit (in the prescribed form viz. the summons for settlement of issues) as well as the accompanying applications with all the annexed documents to the defendants on filing of the process fee by the plaintiff. In case any address of the defendant(s) is of outstation, the ordinary process be sent through the District Judge concerned.

Process be also sent through registered/speed post AD. The sealed covers containing the summons and complete paperbook of the case be handed over *dasti* to the plaintiff/counsel for putting the same in the postal transmission. The original postal receipt(s) along with the downloaded track report from the site of India Post be placed on record by the plaintiff/counsel on the next date.

In case the plaintiff has any e-mail, fax ID and mobile number (having facility of whatsapp/Gims/Sandes App) of the defendant, defendant be served under Rule 12 of the Delhi Court Services of Process By Courier, FAX and Electronic Mail Service (Civil Proceedings) Rule 2010. The plaintiff shall file

the affidavit qua the same.

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 e-mail in compliance of Rule 14 be also filed alongwith the copies as above for onward transmission to Nazarat Branch, Tis Hazari Courts for service through e-mail.

Process should also state that the Written Statement has to be filed withing 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 amendment in CPC consequent upon the amended provisions applicable to the Commercial Courts Act.

Notice is returnable on **16.11.2021**

This order be posted on the website of Delhi District Courts forthwith.

(Man Mohan Sharma)
District Judge,(Commercial Court)-06
Central District, THC Court/09.08.2021/ak