



2025:DHC:6127

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(COMM) 42/2025 & I.A. Nos. 1268-1273/2025
WATERWAYS LEISURE TOURISM PRIVATE
LIMITED

.....Plaintiff

Through: Ms. Kripa Pandit, Mr. Prabhu
Tandon, Mr. Christopher Thomas,
Mr. Saurabh Kumar Pandey, Mr.
Yash A. Arora and Mr. Bhanu Gupta,
Advocates

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versus

MR. MUKESH PRASAD THAPLIYAL AND ORS.Defendants

Through: None.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **17.01.2025**

I.A. 1272/2025 (Exemption from filing clearer copies of documents)

1. The present is an application under Section 151 of the Code of Civil Procedure, 1908 ("CPC"), on behalf of the plaintiff, seeking exemption from filing translated copies, clearer copies/documents with correct margins.
2. Exemption is granted, subject to all just exceptions.
3. Plaintiff shall file legible, clear, and translated copies of the documents, on which the plaintiff may seek to place reliance, before the next date of hearing.
4. Accordingly, the present application is disposed of.

I.A. 1270/2025 (Exemption from instituting Pre-Institution Mediation)



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5. The present is an application under Section 12A of the Commercial Courts Act, 2015, read with Section 151 of CPC, seeking exemption from undergoing Pre-Institution Mediation.

6. Issue notice to the defendants.

I.A. 1273/2025 (Exemption from advance service to the defendants)

7. The present is an application under Section 151 CPC, seeking exemption from advance service to the defendants.

8. Since summons are being issued to the defendants, noting the aforesaid the present application has become infructuous and thus, disposed of.

I.A. 1271/2025 (Application seeking leave to file additional documents)

9. This is an application under Order XI Rule 1(4) read with Section 151 CPC as amended by the Commercial Courts Act, 2015, seeking leave to file additional documents.

10. The plaintiff, if it wishes to file additional documents at a later stage, shall do so strictly as per the provisions of Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.

11. The application is disposed of, with the aforesaid directions.

I.A. No. 1269/2025 (Application seeking extension of time for filing Court Fees)

12. The present application has been filed under Section 149 CPC seeking extension of time for filing Court Fees and one time Process Fees.

13. Learned counsel appearing for the plaintiff submits that two weeks' time may be granted for filing the Court Fees.

14. Liberty is so granted.

15. Noting the aforesaid, the present application is disposed of.

CS(COMM) 42/2025 & I.A. 1268/2025 (Application under Order



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XXXIX Rules 1 and 2 CPC)

16. Let the plaint be registered as suit.
17. Upon filing of the process fee, issue summons to the defendants by all permissible modes. Summons shall state that the written statement be filed by the defendants within thirty days from the date of receipt of summons. Along with the written statement, the defendants shall also file affidavit of admission/denial of the plaintiff's documents, without which, the written statement shall not be taken on record.
18. Liberty is given to the plaintiff to file replication within thirty days from the date of receipt of the written statement. Further, along with the replication, if any, filed by the plaintiff, an affidavit of admission/denial of documents of the defendants, be filed by the plaintiff, without which, the replication shall not be taken on record. If any of the parties wish to seek inspection of the documents, the same shall be sought and given within the timelines.
19. Issue notice in *I.A. 1268/2025* to the defendants by all modes.
20. Let reply be filed within a period of four weeks.
21. Rejoinder thereto, if any, be filed within a period of one week, thereafter.
22. List before the Joint Registrar (Judicial) for marking of exhibits, on 20th March, 2025.
23. List before the Court on 28th February, 2025.

MINI PUSHKARNA, J

JANUARY 17, 2025

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