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

+ CS(COMM) 54/2025 & I.A. 1766/2025 I.A. 1768/2025 I.A. 10612/2025

MICROTEK INTERNATIONAL PRIVATE LIMITED & ANR.

.....Plaintiffs

Through: Ms. Apoorva Murali, Ms. Aishwarya Chaturvedi and Ms. Aishwarya Mukherjee, Advocates

versus

SUBODH GUPTA & ORS.

.....Defendants

Through: Mr. Trideep Pais, Sr. Adv. with Mr. Pranav Jain, Ms. Alisha Luthra and Ms. Sakshi Jain and Ms. Saloni Ambashtha, Advocates for D-1, 2, 3 and 6 with D-1 and D-2 in person.

Mr. Rajiv Nayar, Mr. J. Sai Deepak, Sr. Advs. with Mr. Ashish Aggarwal, Ms. Ramya Aggarwal, Mr. Nalin Dhingra, Ms. Purnima Vashishtha and Mr. Naman, Advocates for D-7 and D-8

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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04.09.2025

I.A. 1768/2025(Application seeking exemption from pre-institution mediation)

1. This is an application filed by the Plaintiff under Section 12A of the Commercial Courts Act, 2015 read with Section 151 CPC, filed by the



Plaintiff seeking exemption from instituting pre-litigation mediation.

2. Learned counsel for the parties state that prior attempts at settlement have failed. It is submitted that for the present there is no scope for mediation.

3. Having regard to the facts that the present suit contemplates urgent interim relief and in light of the judgement of the Supreme Court in **Yamini Manohar v. T.K.D. Kreethi**¹

4. this Court is satisfied exemption from the requirement of pre-institution mediation is merited and accordingly, granted to the Plaintiff.

5. Accordingly, the application stands disposed of.

CS(COMM) 54/2025

6. List on 20.11.2025.

MANMEET PRITAM SINGH ARORA, J

SEPTEMBER 4, 2025/mt

¹ (2024) 5 SCC 815