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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 183/2024,**
M/S JINDAL (INDIA) LIMITED Plaintiff
Through: Mr. Chander M. Lall, Sr. Advocate,
Mr. Abhinav Bhalla, Mr. Rishabh
Srivastava, Mr. Yasheswini Sharma,
Advocates.

versus

M/S JINDAL STEEL TUBES LTD & ORS. Defendants
Through: Ms. Twinkle Rai, Advocate.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
04.03.2024

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I.A. 4859/2024 (on behalf of the Plaintiff/Applicant under Section 151 CPC for exemption from filing certain documents, clear copies and English translation)

1. Exemption is granted, subject to all just exceptions.
2. The Plaintiff shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the application stands disposed of.

I.A. 4860/2024 (under Order XI Rule (4) as amended by the commercial courts, commercial division & commercial appellate division of High Courts Act, 2015) read with Section 151 of the CPC, 1908, seeking leave to file additional documents)

4. This is an application seeking leave to file additional documents under the Commercial Courts Act, 2015.



5. If Plaintiff wishes to file additional documents at a later stage, they shall do so strictly as per the provisions of the said Act.
6. Accordingly, the application stands disposed of.

I.A. 4862/2024 (under Section 12A of the Commercial Courts Act, 2015 and Section 151 of CPC seeking exemption from instituting pre-litigation mediation)

7. As the present suit contemplates urgent interim relief, in light of the judgment of Supreme Court in *Yamini Manohar v. T.K.D. Krithi*,¹ exemption from attempting pre-institution mediation is granted.
8. Disposed of.

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9. Let the plaint be registered as a suit.
10. Issue summons. Summons are accepted by Ms. Twinkle Rai, counsel for Defendants. Written statement shall be filed by Defendants within 30 days from today. Along with the written statement, Defendants shall also file an affidavit of admission/denial of the documents of the Plaintiff, without which the written statement shall not be taken on record.
11. Liberty is given to the Plaintiff to file replication within 15 days of the receipt of the written statement. 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 any documents, the same shall be sought and given within the timelines.

¹ 2023 SCC OnLine SC 1382.



12. List before the Joint Registrar for marking of exhibits on 7th May, 2024. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.

13. List before the Court for framing of issues thereafter.

I.A. 4858/2024 (on behalf of the Plaintiff/Applicant under Order XXXIX Rules 1 & 2 read with Section 151 CPC seeking interim injunction) and I.A. 4861/2024 (on behalf of the Plaintiff/Applicant/Applicant under Section 151 CPC. read with Order XI Rule 6(3) Commercial Court Act, 2015 for declaration of the copies of the documents filed along with the plaint)

14. Issue notice. Ms. Twinkle Rai, counsel for the Defendants, accepts notice.

15. Reply, if any, be filed within two weeks from today. Rejoinder thereto, if any, be filed on or before the next date of hearing.

16. Re-notify on 20th March, 2024.

SANJEEV NARULA, J

MARCH 4, 2024

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