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

+ **CS(COMM) 248/2025, I.A. 7358/2025 and I.A. 7360/2025**

**M/S TAJ EXPORTS THROUGH ITS PARTNER KULBHUSHAN
SETHI**Plaintiff

Through: Mr. Anurag Bhatt, Mr. Lokesh
Pathak, Mr. Vaibhav and Mr. Ankur,
Advs.

versus

JD JEWEL CREATION PRIVATE LIMITED & ORS.

.....Defendants

Through: None.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER
07.04.2025

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1. The office report indicates that the Court fees has been paid.

I.A. 7359/2025 (Exemption)

2. Plaintiff shall file legible/original/certified and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.

3. The application for exemption is allowed, subject to the plaintiff granting inspection of the documents filed, as and when required to do so, or filing the original documents at the stage of admission/denial.

4. The application stands disposed of.

CS(COMM) 248/2025

5. Heard.

6. The instant civil suit is for the following relief:-



a) *“Pass a decree of specific performance of job work in favour of Plaintiff and against Defendants No. 1 to 3 (jointly and severally) to perform their part of the contract i.e. do the job work and hand over the Jewellery of the said 9868.560-grams of 22 karat gold Estimated (Rs.7,95,74,579)*

Or

b) *Alternatively, pass a decree in favour of Plaintiff and against Defendants No. 1 to 3 (jointly and severally) to return the 9091.640 gram of 24 karat gold, illegally withheld by the Defendants. Estimated (Rs.7,95,74,579)*

Or

c) *Alternatively, pass a decree in favour of Plaintiff and against Defendants No. 1 to 4 (jointly and severally) to pay a sum of Rupees 7,95,74,579/- (Rupees Seven Crore Ninety Five Lakh Seventy Four Thousand Five Hundred and Seventy Nine Only) which is equivalent to the value of 9091.640 grams of 24 Karat gold, as on the date of filing of the suit along with 18 % interest till payment thereof.*

And

d) *And pass a decree in addition to the decree of specific performance, thereby granting damages in favour of Plaintiff and against Defendants No. 1 to 4 (jointly and severally) to a tune of Rs. 25,00,000/- (Rupees Twenty Five Lakhs Only) as compensation for delay in performance of the said contract and for causing mental agony to the Plaintiff.”*

7. The plaint be registered as a suit. Summons be issued to the defendants by all permissible modes on filing of process fee. Affidavit of service be filed within two weeks.

8. Summons shall state that the written statement(s) shall be filed by the defendant within 30 days from the date of receipt of summons. Along with the written statement(s), the defendants shall also file affidavit(s) of admission/denial of the documents of the plaintiff, without which the written statement(s) shall not be taken on record.

9. Liberty is given to the plaintiff to file replication(s) within 15 days of the receipt of the written statement(s). Along with the replication(s), if any, filed by the plaintiff, affidavit(s) of admission/denial of documents of the



defendants, be filed by the plaintiff, without which the replication(s) 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.

10. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.

11. List before the Joint Registrar for further proceedings on 15.09.2025.

I.A. 7358/2025 (under Order XXXIX Rules 1 and 2 read with Section 151 CPC, 1908 seeking ad interim ex parte injunction)

I.A. 7360/2025 (under Order XI Rule 4 of the CPC, 1908 read with Section 151 CPC, 1908)

12. Heard.

13. On the plaintiff taking steps, let notice of these applications be issued to the defendants through all permissible modes, returnable on 04.08.2025.

PURUSHAINDR KUMAR KAURAV, J

APRIL 7, 2025/DPA/SP

Click here to check corrigendum, if any