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

+ **CS(COMM) 370/2025**

MAHESH VIJAYAGOPAL

.....Plaintiff

Through: Mr. Vipul Kumar and Mr. Pranav
Garg, Advocates.

versus

GLOBE CAPITAL MARKET LIMITED & ORS.

.....Defendants

Through: None.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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24.04.2025

I.A. 10218/2025

1. This application is preferred on behalf of the Plaintiff under Section 12-A of the Commercial Courts Act, 2015 read with Section 151 of CPC seeking exemption from Pre-Institution Mediation.

2. Having regard to the facts of the present case wherein urgent relief is prayed and in light of the judgment of Supreme Court in ***Yamini Manohar v. T.K.D. Keerthi, (2024) 5 SCC 815***, as also Division Bench of this Court in ***Chandra Kishore Chaurasia v. RA Perfumery Works Private Ltd., 2022 SCC OnLine Del 3529***, exemption is granted to the Plaintiff from Pre-Institution Mediation.

3. Application is allowed and disposed of.

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4. Let plaint be registered as a suit.



5. Upon filing of process fee, issue summons to the Defendants, through all permissible modes.
6. Written statement shall be filed by the Defendants within 30 days from the receipt of summons. Along with the written statement, Defendants shall also file an affidavit of admission/denial of the documents filed by the Plaintiff.
7. Plaintiff is at liberty to file Replication within 30 days from receipt of the written statement. Along with the replication, an affidavit of admission/denial of documents filed by the Defendants, shall be filed by the Plaintiff.
8. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.
9. If any of the parties wish to seek inspection of any documents, the same be done in accordance with Delhi High Court (Original Side) Rules, 2018.
10. List before the learned Joint Registrar for completion of service and pleadings, marking of exhibits and admission/denial of documents on 16.07.2025.

I.A. 10217/2025 (u/O XXXVIII Rule 5 r/w Order XVA of CPC, 1908 for directions to Defendants to furnish security)

11. Issue notice.
12. Upon filing of process fee, notice be issued to the Defendants through all permissible modes, returnable before Joint Registrar on 16.07.2025.

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13. This application is preferred on behalf of the Plaintiff under Order XXXIX Rules 1 and 2 of CPC, 1908 read with Section 151 of CPC, 1908



seeking *ex parte ad interim* mandatory injunction against the Defendants.

14. Issue notice.

15. Upon filing of process fee, notice be issued to the Defendants through all permissible modes, returnable before Court on 09.05.2025.

JYOTI SINGH, J

APRIL 24, 2025
S.Sharma