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

+ CM(M) 2468/2024

M/S SHREE GANPATI MAINTENANCE SOLUTIONS PRIVATE  
LIMITED ..... Petitioner

Through: Ms. Sarita Pandey and Mr. Dhairya  
Gupta, Advs.

versus

M/S GOLFGREEN INFRA PRIVATE LIMITED ..... Respondent

Through: None.

**CORAM:**  
**HON'BLE MR. JUSTICE RAVINDER DUDEJA**

**ORDER**  
**02.05.2024**

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**CM APPL. 25653/2024--exp**

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

**CM(M) 2468/2024, CM APPL. 25652/2024—stay**

3. The present petition under Article 227 of the Constitution of India has been filed impugning the order dated 08.02.2024 passed by the learned District Judge, Commercial Court (Digital-04), South District, Saket Courts, New Delhi (hereinafter referred as 'Trial Court') in suit bearing CS (COMM) No.46/2023 titled as "*M/s Shree Ganpati Maintenance Solutions Private Limited vs. M/s Golfgreen Infra Private Limited*", thereby granting leave to defend to the respondent.



4. Learned counsel for the petitioner has submitted that learned Trial Court granted the leave only on the ground that the original documents were not placed on record and such order was passed without going into the merits of the case.

5. Learned counsel has placed reliance to Order XI of Code of Civil Procedure, 1908 and judgments of this Court in *Satish Kumar vs. Khushboo Singh & Ors.*: MANU/DE/3411//2019, decided on 14.10.2019 & *Madan Lal Limited vs. Growth Techno Projects Ltd. & Ors.*: MANU/DE/1689/2009 decided on 26.02.2009 submitting that in a commercial suit, petitioner only needs to file photocopies of the judgments relied upon.

6. Issue notice.

7. Upon petitioner's taking necessary steps, issue notice to the respondent through all permissible modes including via approved courier service, returnable on 31.07.2024.

**RAVINDER DUDEJA, J.**

**MAY 02, 2024/ab/ss**