



\$~O-35

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 351/2024, CAV 214/2024, I.A. 9982/2024 and I.A. 42332/2024**

SAMAR VIKRAM SINGHPlaintiff

Through: Ms.Meenakshi Ogra, Mr.Tarun,
Mr.Samrat, Mr.Rajat and
Mr.Anupam, Advocates.

versus

AMERICAN EXPRESS BANKING CORP & ANR.

.....Defendants

Through: Mr.Suhail Sehgal and Mr.Prashant,
Advocates.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER
% **16.04.2025**

1. As per the order of the concerned Joint Registrar, the matter has been posted before the Court.
2. Learned counsel for the plaintiff submits that the instant is a civil suit wherein the plaintiff seeks compensation for the wrong allegedly caused to her. She, therefore, relies on Section 19 of the Code of Civil Procedure (CPC) and contends that same can be instituted, at the plaintiff's option, either in the Court having jurisdiction where the wrong was committed or where the defendant resides.
3. Learned counsel for the defendants, on advance notice, submits that in addition to the issue of jurisdiction, he intends to raise several other



2024-01-16 16:30

objections. He further contends that, in light of various judicial decisions, the plaintiff is not entitled to the relief sought in the present civil suit, and that no cause of action has arisen. He also asserts that the suit is barred by law and seeks to rely on various precedents of the Court.

4. Having briefly heard learned counsel for the parties, the Court, at this stage, deems it appropriate to issue summons to the defendants, while reserving all their rights and contentions to be raised in their written statement or by filing an appropriate application under Order VII Rule 10/11 of CPC.

5. In view of the aforesaid, let the plaint be registered as a suit. Issue summons. Mr.Suhail Sehgal, learned counsel on behalf of the defendants is present. He confirms the receipt of the suit paper book and waives the right of formal service of summons.

6. Written statements shall be filed within thirty days from today. The defendants shall also file affidavits of admission/denial of the documents filed by the plaintiffs, failing which the written statements shall not be taken on record.

7. The plaintiff is at liberty to file replications thereto within thirty days after filing of the written statements. The replications shall be accompanied by affidavits of admission/denial in respect of the documents filed by the defendants, failing which the replications shall not be taken on record.

8. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.

9. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.

10. List before the concerned Joint Registrar for completion of pleadings,



marking of exhibits and admission/denial of documents on 26.05.2025.

11. List before the Court on the date to be assigned by the concerned Joint Registrar.

APRIL 16, 2025

Nc/sph

PURUSHAINDRA KUMAR KAURAV, J

Click here to check corrigendum, if any