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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 557/2025**

KUSHMANDA POWER LTD.Plaintiff
Through: Ms. Shreya Gagneja, Advocate.
versus

OLA ELECTRIC MOBILITY LTD.Defendant
Through: Ms. Vindhya S. Mani, Mr. Kartikay
Singhal and Ms. Ardra Goodwin,
Advocates.

CORAM:
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

% **ORDER**
19.03.2026

I.A. 13973/2025(Additional Documents)

1. The present application has been filed on behalf of the plaintiff under Order XI Rule 1(4) of the Code of Civil Procedure, 1908 ('CPC') as applicable to commercial suits under the CC Act, seeking leave to place on record additional documents.

4. The plaintiff is permitted to file additional documents in accordance with the provisions of the CC Act and the Delhi High Court (Original Side) Rules, 2018.

5. Accordingly, the application stands disposed of.

I.A. 29781/2025 (Additional Documents)

6. The present applications have been filed on behalf of the plaintiff under Order XI Rule 5 of the CPC as applicable to commercial suits under the CC Act, seeking leave to place on record additional documents.

7. The plaintiff is permitted to file additional documents in accordance with the provisions of the CC Act and the Delhi High Court (Original Side) Rules, 2018.

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8. Accordingly, the application stands disposed of.

I.A. 13971/2025 (Exemption)

9. This is an application filed on behalf of the plaintiff under Section 151 of CPC seeking exemption from filing Original/clearer/legible/translated copies with corrected margin of the documents along with the captioned suit.

10. Exemption allowed, subject to just exceptions. However, Original/clearer/legible/translated copies of the documents with proper margins be filed within four weeks with an advance copy to the defendant.

11. The application stands disposed of.

I.A. 13974/2025(Delay)

12. This is an application filed on behalf of the plaintiffs under Section 151 of CPC seeking condonation of delay of six days in re-filing the present Suit.

13. For the reason stated therein, the application is allowed. The delay of six days in re-filing the present Suit is hereby condoned.

14. The application stands disposed of.

I.A. 30214/2025 (Seeking amendment of Plaintiff)

15. This is an application filed under Order VI Rule 17 read with Section 151 CPC, seeking amendment in the original plaintiff.

16. The amendments that are sought to the original plaintiff are enumerated in para 10 of the present application, whereby paragraphs 14, 15, 34 and 35 of the original plaintiff are sought to be replaced with new paragraphs with corresponding numbers.

17. Since, the plaintiff is yet to be registered and summons are yet to be issued, no prejudice would be caused to the defendant in case the present application is allowed.

18. Accordingly, the instant application under Order VI Rule 17 of the CPC is allowed permitting the plaintiff to replace paragraphs 14, 15, 34 and 35 of the original plaintiff with the new paragraphs with same corresponding numbers as



mentioned in the para 10 of the instant application.

19. The amended plaint is stated to have been filed and is taken on record.

20. The application stands disposed of.

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21. Learned counsel for the parties submit that no notice or summons were issued in the present suit, as on the first date of hearing i.e. 29.05.2025, this Court was of the opinion that the parties ought to be referred to Pre-Institution Mediation under Section 12A of the Commercial Courts Act, 2015 ('CC Act').

22. It is also submitted that the said Mediation has failed.

23. Let the plaint be registered as a suit.

24. Issue summons of the suit to the defendant.

25. Summons are accepted by Ms. Vindhya S. Mani, learned counsel on behalf of the defendant.

26. The Written Statement shall be filed by the defendant within 30 days. Alongwith the Written Statement, the defendant shall also file Affidavit of Admission/Denial of the documents of the plaintiff, without which the Written Statement shall not be taken on record.

27. Liberty is granted to the plaintiff to file Replication, if any, within 30 days from the receipt of the Written Statement. Along with the Replication filed by the plaintiff, an Affidavit of Admission/Denial of the documents of defendant be filed by the plaintiff, without which the Replication shall not be taken on record.

28. In case any party is placing reliance on a document, which is not in their power and possession, its details and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

29. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the prescribed timelines.

30. List before the Joint Registrar (Judicial) on 21.05.2026 for completion of



service and pleadings.

31. List before the Court on 09.07.2026.

I.A. 13970/2025 (Order XXXIX Rules 1 & 2, CPC)

32. Present application has been filed on behalf of the plaintiff under Order XXXIX Rules 1 & 2 of CPC, 1908 seeking *ex-parte ad-interim* injunction against the defendant.

33. Issue notice.

34. Notice is accepted by Ms. Vindhya S. Mani, learned counsel on behalf of the defendant.

35. Let a reply to this application be filed by the defendant within four weeks from service. Rejoinder, thereto, if any, be filed within two weeks thereafter.

36. List before the Joint Registrar (Judicial) on 21.05.2026 for completion of service and pleadings.

TUSHAR RAO GEDELA, J

MARCH 19, 2026

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