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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 574/2024

M/S. QUALITY INDUSTRIES THROUGH ITS PARTNER

PIYUSH JAIN

.....Plaintiff

Through: Mr.Raj Shekhar Rao, Sr. Adv.
with Ms.Shivani Khandekar,
Mr.Gokul Holani, Mr.Shriram
Kashyap, Ms.Aashna Chawla
and Ms.Arпита Pande, Advs.

versus

SHENZHEN CHK CO. LTD. & ANR.Defendants

Through: Mr.A.K. Singla, Sr. Adv. with
Mr.Rahul Shukla and
Ms.Bachita Baruah Shukla,
Advs. for D-1

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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29.07.2024

I.A. 34689/2024

1. By this application, the plaintiff prays for leave to place on record certain additional documents.

2. As summons in the Suit have still not been issued, and the Suit itself is at a preliminary stage, the application is allowed. The documents are taken on record.

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3. Issue summons in the suit and notice on the application to the defendants.

4. Summons/notice are accepted by Mr.Rahul Shukla, Advocate for the defendant no.1.



5. Let summons of the Suit/notice on the application be served on the defendant no.2 through all permissible modes, including through electronic mode and *dasti* as well, returnable on 14th October, 2024 before the learned Joint Registrar (Judicial).
6. Written Statement(s)/reply(ies) to the application be filed within a period of 30 days from the date of receipt of summons/notice. Along with the Written Statement(s), the defendants shall also file the affidavit(s) of admission/denial of the documents of the plaintiff, without which the Written Statement(s) shall not be taken on record.
7. Replication/rejoinder be filed within a period of 2 weeks of receipt of copy of the Written Statement(s)/reply(ies) to the application. Along with the Replication, if any, filed by the plaintiff, the affidavit(s) of admission/denial of documents of the defendant(s) be filed by the plaintiff, without which the Replication shall not be taken on record.
8. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.
9. I may herein note that the learned Senior counsel for the defendant no.1 has raised an objection on the maintainability of the present Suit by contending that this Court lacks the territorial jurisdiction to entertain the present Suit, and that there is no cause of action in favour of the plaintiff and against the defendant no.1.
10. The learned Senior counsel for the defendant no.1 further submits that the Plaint is liable to be rejected inasmuch as the plaintiff has concealed various material and relevant documents from this Court.



11. These objections shall be considered by the Court on receiving the Written Statement/reply of the defendant no.1.

NAVIN CHAWLA, J

JULY 29, 2024/ns/SJ

Click here to check corrigendum, if any