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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 591/2024 & I.A. Nos. 33832/2024, 33833/2024 &
33834/2024

PERNOD RICARD INDIA PRIVATE LIMITEDPlaintiff

Through: Mr. Hemant Singh with Ms. Mamta
Rani Jha, Mr. Sambhav Jain, Ms. R.
Mohan and Mr. Sidhant Oberoi,
Advocates.

versus

JAGATJIT INDUSTRIES LIMITED & ANR.Defendants

Through: Mr. Akhil Sibal, Senior Advocate
with Mr. Nikhil Chawla, Mr. Varun
Ahuja, Ms. Shanya Kumar and Mr. K.
Dev Yadav, Advocates for defendant
no. 1 and 2.
(M): 9818061222

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
22.07.2024

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I.A. No. 33833/2024 (Exemption from filing original and clear copies of documents)

1. The present is an application under Order XI Rule 1(4) read with Section 151 of the Code of Civil Procedure, 1908 ("CPC") as amended by The Commercial Courts Act, 2015, seeking exemption from filing original copies of documents and clear copies of dim/illegible documents.
2. Exemption is granted, subject to all just exceptions.



3. Applicant shall file legible, clear, and original copies of the documents on which the applicant may seek to place reliance, within four weeks from today, or before the next date of hearing, whichever is earlier.

4. Accordingly, the present application is disposed of.

I.A. No. 33834/2024 (seeking exemption from undergoing Pre-Institution Mediation)

5. The present is an application under Section 12A of the Commercial Courts Act, 2015 read with Section 151 of CPC for exemption from undergoing Pre-Institution Mediation.

6. Having regard to the facts of the present case and in the light of the judgment of Supreme Court in the case of *Yamini Manohar versus T.K.D. Keerthi, 2023 SCC OnLine SC 1382*, and Division Bench of this Court in *Chandra Kishore Chaurasia Versus RA Perfumery Works Private Ltd., 2022 SCC OnLine Del 3529*, exemption from undergoing Pre-Institution Mediation, is granted.

7. Accordingly, the application stands disposed of.

CS(COMM) 591/2024

8. Let the plaint be registered as suit.

9. Issue summons.

10. Summons are accepted by learned counsel appearing for the defendants.

11. Let the written statement be filed by the defendants within thirty days. Along with the written statement, the defendants shall also file affidavit of admission/denial of the plaintiff's documents, without which, the written statement shall not be taken on record.

12. Liberty is given to the plaintiff to file replication within thirty days



from the date of receipt of the written statement. Further, along with the replication, if any, filed by the plaintiff, an affidavit of admission/denial of documents of the defendants, be filed by the plaintiff, without which, the replication shall not be taken on record. If any of the parties wish to seek inspection of the documents, the same shall be sought and given within the timelines.

13. List before the Joint Registrar (Judicial) for marking of exhibits, on 14th August, 2024.

14. List before the Court on 14th October, 2024.

I.A. No. 33832/2024 (Application under Order XXXIX Rules 1 and 2 read with Section 151 CPC)

15. Issue notice.

16. Notice is accepted by learned counsel appearing for the defendants.

17. Let reply be filed within a period of four weeks. Rejoinder thereto, if any, be filed within a period of two weeks, thereafter.

18. List before the Court, on 14th October, 2024.

MINI PUSHKARNA, J

JULY 22, 2024

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