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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 663/2024 & I.A. 35792/2024**
AHV INVESTMENTS PRIVATE LIMITEDPlaintiff
Through: Mr. Ananya Mohan, Advocate
(through VC)
versus
M/S SWARN JAYANTI CONSTRUCTIONS
PVT LTD & ORS.Defendants
Through: None

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER
% **08.08.2024**

1. A perusal of the plaint shows that the present suit has been filed under the Commercial Courts Act, 2015 ('Act of 2015'). However, the mandate of Section 12A of the Act of 2015 with respect to pre-litigation mediation has not been complied with.
2. Learned counsel for the plaintiff states that parties be referred to pre-litigation mediation and the issuance of summons be deferred. He states that the plaintiff has made several attempts to reach out to the defendants, however, they have not responded to the requests.
3. Accordingly, the following directions are passed in this regard:
 - (i) The plaintiff is directed to take steps in terms of Section 12A of the Act of 2015 for initiation of pre-litigation mediation.
 - (ii) The matter is referred to the Delhi High Court Mediation and Conciliation Centre ('Mediation Centre').
 - (iii) The plaintiff is instructed to appear before the Mediation Centre on 27.08.2024 at 03:00 PM.
 - (iv) All rights and contentions of the parties shall remain open in the event



of the mediation not being successful and the suit being revived.

4. The issuance of summons is deferred till the next date of hearing. Proceedings in the suit shall be kept in abeyance till the next date of hearing in order to enable the parties to avail the remedy of pre-litigation mediation in accordance with Section 12A of the Act of 2015.

5. List before Court on 14.01.2025, to await the outcome of mediation proceedings.

MANMEET PRITAM SINGH ARORA, J

AUGUST 8, 2024/msh/AKT