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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

I.A. 4881/2026

IN

+ **CS(COMM) 759/2025**

MOHINI ELECTRICALS LTD.

.....Plaintiff

Through: Ms. Avsi Malik, Mr. Abhinav Sharma
and Mr. Ujjwal Jain, Advocates.

versus

**DELHI JAL BOARD THROUGH ITS EXECUTIVE
ENGINEER PROJECT W-V & ANR.**

.....Defendants

Through: Mr. Kunal Anand, Ms. Udipti Chopra,
Mr. Harsh Gautam and Mr. Aryan
Prasad, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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20.02.2026

I.A. 4881/2026

1. This application has been filed on behalf of the defendants seeking recall of the order dated 29th July, 2025 insofar as this Court allowed I.A. No. 17958/2025 filed by the plaintiff, granting exemption to the plaintiff from advance service under Section 80(2) of the CPC to the defendants.
2. It is stated in the application that no grounds could have been made out for granting an exemption to the plaintiff as there exists no urgency.
3. It is the case of the plaintiff that the plaintiff has written various letters to the defendant with respect to the outstanding amount due and payable to the plaintiff, however, the defendant has failed to pay the



outstanding amount due. The plaintiff also filed an application for pre-suit mediation, however, the defendant failed to participate in the mediation process. In these circumstances, the defendant had sufficient notice of the with regard to the filing of the present suit.

4. The purpose of notice under Section 80 of the CPC is to provide the government an opportunity to examine the claim, reconsider its position and potentially resolve the dispute out of Court.

5. In my view, there is no infirmity in the order passed by this Court on 29th July, 2025 granting exemption to the plaintiff under Section 80(2) of the CPC.

6. No grounds for recall of the order are made out.

7. The application is dismissed accordingly.

AMIT BANSAL, J

FEBRUARY 20, 2026

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