



2026:DHC:3001

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

+ CS(COMM) 700/2024 & I.A. Nos. 36773/2024, 36774/2024,
36775/2024, 36776/2024, 36777/2024 & 36778/2024

GURBAAZ PRATAP SINGH MANNPlaintiff

Through: Mr. Arvind Nayar, Senior Advocate
with Mr. Nikhil Chawla, Mr. Nikhil
Palli, Mr. Om Ram and Mr. Shubham
Pandey, Advocates.
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versus

KUNWAR RAGHAV BHANDARI AND ORS.Defendants

Through: Mr. Chander Lall, Senior Advocate
with Mr. Abhishek Singh, Mr. Elvin
Joshy, Mr. J. Amal Anand,
Ms. Annanya Mehan, Mr. Abhinav
Bhalla, Ms. Alisha Sharma and Mr.
Shashwat Tyagi, Advocates.
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CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **20.08.2024**

I.A. 36775/2024 (Exemption from filing clear copies of documents)

1. The present is an application under Section 151 of the Code of Civil Procedure, 1908 ("CPC"), on behalf of the plaintiff, seeking exemption from filing clearer, typed copies, vernacular and originals of certain documents.
2. Exemption is granted, subject to all just exceptions.



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3. Plaintiff shall file legible, clear, and translated copies of the documents, on which the plaintiff may seek to place reliance, before the next date of hearing.

4. Accordingly, the present application is disposed of.

I.A. No. 36778/2024 (Application seeking leave to file Court Fees within two weeks on behalf of the plaintiff)

5. Learned Senior Counsel appearing for the plaintiff submits that the Court fees shall be filed within a period of two weeks.

6. Liberty is so granted.

7. With the aforesaid directions, the present application is disposed of.

I.A. 36776/2024 (Exemption from instituting Pre-litigation Mediation)

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

9. 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 attempting Pre-Institution Mediation, is granted.

10. Accordingly, the application stands disposed of.

I.A. 36774/2024 (Application seeking leave to file additional documents)

11. This is an application under Order XI Rule 1(4) read with Section 151 CPC as amended by the Commercial Courts Act, 2015, seeking leave to file additional documents.

12. The plaintiff, if it wishes to file additional documents at a later stage,



shall do so strictly as per the provisions of Commercial Courts Act, 2015, and the Delhi High Court (Original Side) Rules, 2018.

13. With the aforesaid directions, the application is disposed of.

I.A. No. 36777/2024 (Application seeking leave to file certain documents in pen drive)

14. The present is an application filed on behalf of the plaintiff under Section 151 CPC seeking leave to file certain documents in a pen drive.

15. Rule 24 of Chapter-XI of the Delhi High Court (Original Side) Rules, 2018, make it clear that electronic records can be received in CD/DVD/Medium encrypted with a hash value. The said Rule is extracted as below:

*“24. **Reception of electronic evidence** - A party seeking to tender any electronic record shall do so in a CD/ DVD/ Medium, encrypted with a hash value, the details of which shall be disclosed in a separate memorandum, signed by the party in the form of an affidavit. This will be tendered along with the encrypted CD/ DVD/ Medium in the Registry. The electronic record in the encrypted CD/ DVD/ Medium will be uploaded on the server of the Court by the Computer Section and kept in an electronic folder which shall be labeled with the cause title, case number and the date of document uploaded on the server. Thereafter, the encrypted CD/ DVD/ Medium will be returned to the party on the condition that it shall be produced at the time of admission/denial of the documents and as and when directed by the Court/ Registrar. The memorandum disclosing the hash value shall be separately kept by the Registry on the file. The compliance with this rule will not be construed as dispensing with the compliance with any other law for the time being in force including Section 65B of the Indian Evidence Act, 1872.”*

16. Accordingly, Registry may receive electronic record in a pen drive, so long as it is encrypted with a hash value or in any other non-editable format. The pen drive containing video recordings, be placed in the electronic record of the present suit, in a format which is non-editable, so that the same can be



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viewed by the Court during Court of hearing.

17. With the aforesaid directions, the application is disposed of.

CS(COMM) 700/2024 & I.A. No. 36773/2024 (Application under Order XXXIX Rules 1 and 2 CPC)

18. Let the plaint be registered as suit.

19. Issue summons. Summons is accepted by learned counsel appearing for the defendants.

20. 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.

21. 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.

22. List before the Joint Registrar (Judicial) for marking of exhibits, on 09th October, 2024.

23. List before the Court on 25th October, 2024.

MINI PUSHKARNA, J

AUGUST 20, 2024/c