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

+ CS(COMM) 762/2024 & I.A. 38559/2024 I.A. 38671/2024
MANISH KUMAR JAINPlaintiff

Through: Mr. Kartik Malhotra, Ms. Shreya
Mansi James, Advocates

versus

MS. J J ELECTRICAL INDUSTRIES & ORS.Defendants

Through: Mr. Deepankar Mishra, Mr. Kartikeya
Tandon, Advocates for D-4 to D-6

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **29.08.2025**

I.A. 38671/2024(seeking exemption from pre-institution mediation)

1. This is an application under Section 12A of the Commercial Courts Act, 2015 read with Section 151 of the Code of Civil Procedure, 1908 ['CPC'], filed by the plaintiff seeking exemption from instituting pre-litigation mediation.

2. Learned counsel for the parties' state that parties have already tried mediation and it has been unsuccessful.

3. Parties jointly state that this application may be disposed of and the relief for exemption sought in the application can be granted.

4. In view of the aforesaid submissions, the application is allowed.

I.A. 38559/2024 (Under Order XXXIX Rule 1 and 2)

5. This is an application filed by the plaintiff under Order XXXIX Rule 1 and 2 CPC.

6. Learned counsel for the plaintiff states that defendant nos. 1 to 3, despite service, have elected not to file any response in these proceedings and are not represented.



7. He states that defendant nos. 1 to 3's right to file already stands closed vide order dated 08.05.2025.
8. Learned counsel for the defendant nos. 4 to 6 states that its written statement be read as a reply.
9. It is observed that the pleadings in this application are complete.
10. List before the learned Joint Registrar (J) on **09.10.2025**.
11. List before Court on **28.11.2025**.

CS(COMM) 762/2024

12. None appears on behalf of the defendant nos. 1 to 3.
13. Defendant nos. 1 to 3 are hereby proceeded ex-parte.
14. Learned counsel for the plaintiff states that defendant nos. 4 to 6 have failed to file the hard copy of their documents which is delaying the recording of admissions/denial of documents.
- 14.1 She submits that a Joint Document Schedule already stands circulated to defendant nos. 4 to 6.
15. Defendant nos. 4 to 6 are directed to cooperate with the plaintiff and file the Joint Document Schedule within two (2) weeks, failing which their right to respond to the same shall stand closed.
16. The defendant nos. 4 to 6 are directed to ensure that their physical documents come on record within two (2) weeks, failing which the documents shall be struck off from the record.
17. List before the learned Joint Registrar (J) on **09.10.2025**.
18. List before Court on **28.11.2025** for framing of issues.

MANMEET PRITAM SINGH ARORA, J

AUGUST 29, 2025/mt/AM