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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 783/2024 & I.A. Nos. 39137/2024, 39138/2024,
39139/2024, 39140/2024, 39141/2024 & 39142/2024
BALNEO WELLNESS TECHNOLOGIES PVT. LTD.Plaintiff

Through: Mr. Dheeraj Gupta with Ms. Prerna
Bhatt, Advocates.

versus

RELAXORA TECHNOLOGIES PVT. LTD. & ORS.....Defendants
Through: None.

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

% **ORDER**
11.09.2024

I.A. 39142/2024 (Exemption from filing original 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 dim annexures, photocopies of original documents.
2. Exemption is granted, subject to all just exceptions.
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. 39141/2024 (Exemption from advance service to the defendants)

5. The present is an application under Section 151 CPC, seeking exemption from advance service to the defendants.



6. Since summons is being issued to the defendants, the present application is accordingly disposed of.

I.A. 39140/2024 (Application seeking leave to file additional documents)

7. The present application has been filed under Order XI Rule 1(4) read with Section 151 CPC, as amended by the Commercial Courts Act, 2015, on behalf of the plaintiff seeking leave to file additional documents.

8. 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.

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

I.A. 39138/2024 (Application for appointment of Local Commissioner)

10. The present application has been filed under Order XXVI Rules 9 and 10 CPC read with Section 151 CPC seeking appointment of a Local Commissioner.

11. Since summons is being issued to the defendants, no orders are being passed in the present application for the time being.

I.A. 39139/2024 (Application seeking directions to defendants to produce the documents)

12. The present application has been filed under Order XI Rules 12 and 14 CPC, read with Section 151 CPC, seeking directions to the defendants to produce the documents.

13. Issue notice to the defendants.

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

CS(COMM) 783/2024 & I.A. No. 39137/2024 (Application under Order XXXIX Rule 1 and 2 CPC)



15. Let the plaint be registered as suit.
16. Upon filing of the process fee, issue summons to the defendants by all permissible modes, including, *Dasti*. Summons shall state that the written statement be filed by the defendants within thirty days from the date of receipt of summons. 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.
17. 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.
18. List before the Joint Registrar (Judicial) for marking of exhibits, on 29th October, 2024.
19. List before the Court on 19th September, 2024.

MINI PUSHKARNA, J

SEPTEMBER 11, 2024

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