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

+ **CM(M) 2064/2025**

M/S N.E. IMPEX PVT LTD

.....Petitioner

Through: Counsel for petitioner (*appearance not given*).

versus

M/S EARTH ECO SOLUTIONS PVT LTD.

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **06.12.2025**

CM(M) 2064/2025 & CM APPL. 67309/2025 (stay)

1. In furtherance of last order, learned counsel for petitioner seeks to place reliance on the orders passed by the coordinate bench in the cases reported as AIROnline 2020 Del 48; CM(M) 657/2014 decided on 14.07.2014; and CM(M) 369/2017 decided on 12.04.2017. I have examined those orders. But I find none of those orders applicable in the present situation. In AIR OnLine 2020 Del 48, the notice/summons in the suit were yet to be issued; in CM(M) 657/2014, the issuance of notice was dispensed with but option was left open for the defendant/respondent to challenge the maintainability of the suit at appropriate stage; and in CM(M) 369/2017, the impugned order was passed without issuing summons/notice.

2. In the present case, circumstances in brief have been reflected in last order and going by the same, I do not find it appropriate in the present case



to deprive hearing to the respondent/defendant.

3. Therefore, subject to petitioner taking steps within one week, notice be issued to the respondent/defendant, returnable on 24.03.2026 before Registrar.

GIRISH KATHPALIA, J

DECEMBER 6, 2025/dr