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

+ **CS(COMM) 36/2025**

VVDN TECHNOLOGIES PVT LTDPlaintiff

Through: **Mr. Sumit Chander, Adv.**

versus

**M/S HERO ELECTRONIX PRIVATE
LIMITED & ANR.**

.....Defendant

Through:

**CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL**

ORDER

% **16.01.2025**

I.A. 994/2025 (Exemption)

1. Exemption is granted, subject to all just exceptions.
2. Applicant shall file legible, clear, and original copies of the documents on which the applicant may seek to place reliance before the next date of hearing, whichever is earlier.
3. Accordingly, the present application is disposed of.

CS(COMM) 36/2025

1. This suit has been filed seeking recovery of Rs. 52,09,633/- (Rupees Fifty-Two Lakhs Nine Thousand Six Hundred & Thirty-Three) towards the finished goods delivered and a decree for a sum of Rs. 2,76,18,407/- (Rupees Two Crore Seventy-Six Thousand Eighteen Thousand Four Hundred & Seven) towards the cost of inventory maintained by the plaintiff, along with other attendant relief.
2. Plaintiff is in the business of manufacturing and/or developing various



hardware and software products for its customers. Defendant No.1 entered into a Manufacturing Supply Agreement dated 19th September 2018, through defendant no.2, for a period of three years. Under the said agreement, plaintiff was to first manufacture and supply electronic products, *inter alia*, units of Indoor IP Camera.

3. After receiving purchase orders, plaintiff delivered a certain number of products. However, subsequently, defendant no.1 halted further instructions, and plaintiff forcefully stopped their manufacturing process. Since plaintiff had procured the raw material and maintained a huge inventory which was on standby, there were losses which were being incurred by plaintiff. Several invoices were raised; however, defendants did not make payments.

4. A demand notice for payment of finished goods were sent on 07th October 2023, but defendant did not reply. A legal notice was sent on 08th April 2024, demanding payment towards finished goods and towards inventory; a reply was received dated 18th June 2024, denying the said payments.

5. Plaintiff instituted a Pre-Litigation Mediation on 10th July 2024, before the Delhi High Court Mediation and Conciliation Centre, but the mediation report recorded that the matter was “*not settled*”.

6. The plaint be registered as a suit.

7. Summons be issued to the defendants by all permissible modes on filing of process fee. Affidavit of service be filed within two weeks.

8. Summons shall state that the written statement(s) shall be filed by the Defendants within thirty days from the date of receipt of summons. Along with the written statement(s), the Defendants shall also file affidavit(s) of



admission/denial of the documents of the Plaintiff, without which the written statement(s) shall not be taken on record

9. Liberty is given to the Plaintiff to file replication(s) within 15 days of the receipt of the written statement(s). Along with the replication(s), if any, filed by the Plaintiff, affidavit(s) of admission/denial of documents of the Defendants, be filed by the Plaintiff, without which the replication(s) shall not be taken on record. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

10. List before the Joint Registrar for marking of exhibits on 01st March 2025. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.

11. List before Court for framing of issues thereafter on 15th May 2025.

12. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JANUARY 16, 2025/MK/tk