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

+ **CS(COMM) 1402/2025**

M/S MODERN PIPE INDUSTRIES

.....Plaintiff

Through: Advocate appeared (Appearance not given).

versus

RAJKUMAR MAURYA PROPRIETOR OF M/S SATYAM INDUSTRIES

.....Defendant

Through:

CORAM:

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

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23.12.2025

I.A. 32457/2025 (Exemption)

1. Exemption is allowed, subject to all just exceptions.
2. The Application stands disposed of.

I.A. 32459/2025 (Exemption from pre-institution Mediation)

3. This is an Application filed by the Plaintiff seeking exemption from instituting pre-litigation Mediation under Section 12A of the Commercial Courts Act, 2015 (“CC Act”).
4. As the present matter contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar v. T.K.D. Krithi*, 2023 SCC OnLine SC 1382, exemption from the requirement of pre-institution Mediation is granted.
5. The Application stands disposed of.

CS(COMM) 1402/2025

6. Let the Plaint be registered as a Suit.
7. Issue Summons. Let the Summons be served to the Defendant through all permissible modes including *dasti* upon filing of the Process Fee.



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8. The Summons shall state that the Written Statement shall be filed by the Defendant within 30 days from the date of the receipt of Summons. Along with the Written Statement, the Defendant shall also file an Affidavit of Admission / Denial of the documents of the Plaintiff, without which the Written Statement shall not be taken on record.

9. Liberty is granted to the Plaintiff to file Replication, if any, within 30 days from the receipt of the Written Statement. Along with the Replication filed by the Plaintiff, an Affidavit of Admission / Denial of the documents of Defendant be filed by the Plaintiff, without which the Replication shall not be taken on record.

10. In case any Party is placing reliance on a document, which is not in their power and possession, its details and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

11. If any of the Parties wish to seek inspection of any documents, the same shall be sought and given within the prescribed timelines.

12. List before the learned Joint Registrar on 24.02.2026 for completion of service and pleadings.

I.A. 32458/2025 (U/O XI R-1(4) of the CPC)

13. The present Application has been filed on behalf of the Plaintiff under Order XI Rule 1(4) of the Code of Civil Procedure, 1908 (“CPC”) as applicable to Commercial Suits under the CC Act, seeking leave to place on record additional documents.

14. The Plaintiff is permitted to file additional documents in accordance with the provisions of the CC Act and the Delhi High Court (Original Side) Rules, 2018.

15. Accordingly, the Application stands disposed of.



I.A. 32456/2025 (U/O XXXIX R-1 & 2 of CPC)

16. Issue Notice. Let the Notice be served through all permissible modes including *dasti* upon filing of the Process Fee.
17. Let the Reply to the present Application be filed within two weeks after service of Notice. Rejoinder thereto, if any, be filed before the next date of hearing.
18. List on 23.01.2026 along with C.O. (COMM.IPD-TM) 283/2025.

TEJAS KARIA, J

DECEMBER 23, 2025/sms