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

+ **CS(COMM) 44/2026 & I.A. 3313/2026**

MOHAN KUMAR AGARWAL AND ORS.Plaintiffs

Through: Mr. Utsarg Sinsinwal and Mr. Tarun
Tiwari, Advs.
Mob: 9990160660
Email: utsarg@aadhyalegal.com

versus

NUTRILITE AGRO PRODUCTS PVT LTD AND ANR.

.....Defendantss

Through: None.

**CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA**

**ORDER
06.02.2026**

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I.A. 3313/2026 (For Additional Documents)

1. The present application has been filed on behalf of the plaintiffs under Order XI (4) of the Commercial Courts Act, 2015, (Commercial Courts Act”) read with Section 151 of the Code of Civil Procedure, 1908 (“CPC”), seeking leave of this Court to file additional documents.
2. It is submitted that the additional documents could not be filed due to the voluminous nature of the documents. The additional documents sought to be placed on record are highly material and relevant for the effective and complete adjudication of the present matter, as they pertain directly to the issues involved, and are necessary for arriving at a just and proper decision.
3. Learned counsel appearing for the plaintiffs submits that the omission to file the said documents at earlier stage, was neither willful nor deliberate but occurred to *bona fide* reasons, including, inadvertent oversight due to the voluminous nature of the record.



4. It is submitted that upon discovery of the omission, the plaintiffs have acted promptly and filed the present application.

5. This Court notes that the present application has been filed by the plaintiffs before service of the summons upon the defendants. Thus, this Court is of the view that no prejudice shall be caused to the defendants, if the present application is allowed. Further, the present application has been filed within (30) thirty days from the date of filing of the suit.

6. Accordingly, the additional documents filed on behalf of the plaintiffs are taken on record.

7. With the aforesaid directions, the present application is accordingly disposed of.

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8. Since the application for taking on record additional documents of the plaintiffs has been allowed today, the defendants shall also file affidavit of admission/denial of the additional documents, along with the written statements.

9. Further, the summons to the defendants shall also include the additional documents, which have been taken on record today, i.e., the additional documents with the index dated 23rd January, 2026.

10. List before the Joint Registrar on 17th March, 2026, i.e., the date already fixed.

11. List before the Court on 05th May, 2026, i.e., the date already fixed.

MINI PUSHKARNA, J

FEBRUARY 6, 2026

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