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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 161/2026 & I.A. 4501/2026, I.A. 4502/2026, I.A.
4503/2026

VIKRANT KAPOORPlaintiff

Through: Ms. Samprikta Ghosal and Ms.
Mahima Malhotra, Advs.

versus

ANUJ KOHLI & ORS.Defendants

Through:

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **18.02.2026**

CS(COMM) 161/2026

1. The present Suit has been filed by the Plaintiff with the following prayers:

“a) Pass a decree directing the Defendants to forthwith return the gold metal supplied on approval basis, namely 640 grams of fine gold supplied in January 2024 and 551 grams of fine gold supplied in March 2024, aggregating to 1,191 grams of fine gold, with monthly interest@ 5% (approximately 59.55 grams per month) in the same form and purity, to the Plaintiff,

AND/OR

b) OR IN THE ALTERNATIVE, in the event the Defendants fail to return the said gold metal, direct the Defendants to pay the market value of the said 1,191 grams of fine gold together with accrued interest



thereon@ 5% per month (equivalent to approximately 59.55 grams of gold per month), calculated from at the prevailing market rate applicable on the date of such realisation

AND

c) Pass a decree for recovery of a sum of Rs. 3,34,46,537/- (Rupees Three Crore Thirty-Four Lakh Forty-Six Thousand Five Hundred Thirty-Seven only) along with interest @18% per annum from the respective dates of supply till the date of filing the present suit in favour of the Plaintiff and against the Defendants, being the total outstanding monetary dues arising out of invoiced supplies of gold ornaments and gold bars.

AND

d) Direct the Defendant to pay to the Plaintiff, damages of Rs. 2,00,000/-(Rupees Two Lakh) as this Hon'ble Court deems fit, for causing immense mental and financial trauma to the Plaintiff.

AND

e) Pass an order of permanent injunction restraining the Defendant from selling, alienating, or transferring his movable and immovable properties, including the shop property, till final adjudication of the present suit.

AND

f) Pass an order awarding the cost of the suit of the Plaintiff.

AND



g) Direct the Defendant to pay Rs. 1,00,000/- (Rupees One Lakh) as the litigation expenses incurred by the Plaintiff in the present suit.

AND

h) Pass any other order(s)/direction(s) which the Hon'ble Court may deem fit and proper in the interest of justice, equity, and good conscience."

2. It is the case of the Plaintiff that the Plaintiff and the Defendants have business relationships. It is stated that from January, 2024 to April, 2025, the Plaintiff has supplied gold to the Defendants on various dates, however, Defendants have neither returned the gold nor have they paid the amount equivalent to the gold supplied by the Plaintiff to the Defendants. It is stated that between January, 2024 and April, 2025, the Plaintiff has supplied a total of 1,191 grams of gold to the Defendants. The Plaintiff has, therefore, approached this Court for a direction to the Defendants either to return the gold or pay the amount of Rs. 3,34,46,537/- being the value of gold on the date on which the transaction was effected.

3. Let the plaint be registered as a Suit.

4. Issue summons to the Defendants, to be served through all permissible modes, including through electronic mode and *dasti* as well.

5. Let the Written Statement(s) be filed within the time prescribed under the Delhi High Court (Original Side) Rules, 2018 along with the affidavit(s) of admission/denial of the documents of the Plaintiffs, without which the Written Statement(s) shall not be taken on record.

6. Liberty is given to the Plaintiff to file the Replication(s) within the time prescribed under the Delhi High Court (Original Side) Rules, 2018



along with the affidavit(s) of admission/denial of documents of the Defendants, without which the Replication(s) shall not be taken on record.

7. List before the learned Joint Registrar (Judicial) for further proceedings on 22.04.2026.

I.A. 4500/2026 (Stay)

1. This application under Order XXXIX Rules 1 and 2 CPC read with Section 151 CPC has been filed on behalf of the Plaintiff seeking ad-interim injunction against the Defendants.

2. Issue notice.

3. On taking steps, let notice be issued to the Defendants through all permissible modes, including *dasti*.

4. Reply, if any, be filed. Response thereto, if any, be filed before the next date of hearing.

5. List before Court on 09.07.2026.

SUBRAMONIUM PRASAD, J

FEBRUARY 18, 2026

S. Zakir