

**HP Beverage Limited v. Bhupender Singh
and others
COMS No.15 of 2018**

15.10.2025 Present: Mr. Aditya Sood, Advocate, for the plaintiff.

Ms. Shrishti Chauhan, Advocate, for defendant No.1.

Mr. Pushpinder Jaswal, Additional Advocate General, for defendant No.2-State.

Mr. K.S. Thakur, Senior Advocate, with Mr. Harjeet Singh, Advocate, for defendant No.3.

Mr. Tarun Brakta, Advocate, vice Mr. Atharv Sharma, Advocate, for defendant No.4.

CMP No.1331 of 2025

By way of this application, a prayer has been made by the applicant/plaintiff that in the light of the judgment of the Hon'ble Supreme Court passed in M/s Dhanbad Fuels Private Limited versus Union of India and another, 2025 STPL 5470 SC, the applicant/plaintiff be granted opportunity to go for pre-litigation mediation in terms of Section 12-A of the Commercial Courts Act. Learned counsel for the applicant/plaintiff submits that as this suit was filed in the year 2018 i.e., before 20.08.2022, therefore, for non-compliance of the provisions of Section 12-A of the Commercial Court Act, though the present proceedings cannot be dismissed, but the applicant/plaintiff

will have to avail the opportunity of pre-litigation mediation and he may be granted the opportunity to avail the same.

There is no objection to the request that is made by way of this application on behalf of the non-applicants/defendants, therefore, this application is allowed. List after four weeks to enable the plaintiff to do the needful in terms of Section 12-A of the Commercial Court Act. It goes without saying that in the light of the order that has been passed today, the recording of the evidence of the plaintiff witnesses is deferred for the time being.

(Ajay Mohan Goel)
Judge

October 15, 2025
(*Vinod*)