

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 7704/2026

M/s. Svenska Global Management Services Pvt. Ltd.

-----Petitioner

Versus

M/s. Oriental Power Cables Limited & Ors.

-----Respondents

For Petitioner(s) : Mr. Divay Prakash Modi

For Respondent(s) :

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

01/05/2026

1. The present writ petition has been preferred by the petitioner assailing the impugned order dated 09.04.2026 passed by the learned Commercial Court, Kota (Rajasthan) in Civil Suit No. 55/2024, titled as '*M/s. Oriental Power Cables Limited Vs. M/s. Svenska Global Management Services Pvt. Ltd. & Ors.*', whereby the petitioner's application under Section 10 of the Code of Civil Procedure, 1908 (CPC), was rejected.

2. Learned counsel for the petitioner submits that the subsequent suit filed by the plaintiff/respondent is liable to be stayed on the ground that the petitioner has already filed a separate suit for recovery of the alleged amount before the learned Additional Junior Civil Judge, Kakinada, in Original Suit No. 01/2024, in which the defendant has filed a written statement and prayed that "the plaintiff may kindly be directed to make payment of the outstanding amount of Rs. 26,06,631/-". He further submits that in view of Section 10 of CPC, the second suit is liable to be

stayed, yet the learned Court below has wrongly rejected the application filed under Section 10 of CPC. He further submits that in the first suit, learned counsel for both parties therein had represented that there exists an element of settlement, in view of which the first suit was referred for mediation before the Mediator/MLSC, Kakinada, and the matter is presently pending in mediation, with the next date fixed on 19.06.2026. He therefore contends that on the one hand, the respondent herein is seeking mediation, while on the other hand, the respondent is continuing to press the present suit, which is otherwise liable to be stayed. He therefore prays that the impugned order dated 09.04.2026 may kindly be quashed and set aside.

3. Heard.

4. In view of the submissions made hereinabove, issue notice to the respondents, returnable on 30.06.2026.

5. Requisite PF and notices may be filed within a period of one week. Upon filing the same, one set be sent by ordinary post and another by registered post.

6. List the matter on 30.06.2026.

7. Till next date of hearing, further proceedings in Civil Suit No.55/2024 pending before the learned Commercial Court, Kota, titled as '*M/s. Oriental Power Cables Limited Vs. M/s. Svenska Global Management Services Pvt. Ltd. & Ors.*', shall remain stayed.

(MANEESH SHARMA),J