

HIGH COURT OF DELHI:NEW DELHI

PRACTICE DIRECTION

No. 77/Rules/DHC

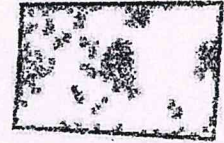
Dated:25.06.2021

In compliance of the directions issued by the Hon'ble Court on 11.05.2021 in CM (M) No. 144/2021 and CM (M) No. 6526/2021 titled *Mothers Pride Education Institution Pvt. Ltd versus Smt Shukla Sehgal*, it is hereby notified that the proforma for 'Summons for Settlement of Issues in a Suit Relating to Commercial Dispute' as already prescribed by this Court vide Practice Direction dated 27.11.2015 shall also be applicable to all Commercial Courts in the District Courts of Delhi.

For reference, the Practice Direction dated 27.11.2015 are attached herewith.

This Practice Direction shall come into force with immediate effect. However, it shall be read prospectively and shall not result in reopening of the cases where summons had not been earlier sent as per the aforesaid prescribed format.

By Order
Sd/-
(MANOJ JAIN)
REGISTRAR GENERAL



HIGH COURT OF DELHI AT NEW DELHI

27309 | I
No..../Orgl./DHC

Dated: 27/11/15

PRACTICE DIRECTION

Hon'ble the Chief Justice, on the recommendations of the Hon'ble Judge In-Charge (Original Side) has been pleased to direct that Summons for settlement of Issues in a Suit relating to Commercial Dispute shall be issued as per proforma given below:-

“Summons for Settlement of Issues in a Suit Relating to Commercial Dispute (U/s 6 of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Ordinance, 2015 amending Order V, Rule 1 of Code of Civil Procedure, 1908)

In the Court of

.....of.....Plaintiff

Against

.....of.....Defendant.

To

(Name, description and place of residence)

Whereas.....has instituted a suit relating to a commercial dispute against you and you are hereby summoned to file a written statement within 30 days of the service of the present summons and in case you fail to file the written statement within the said period of 30 days, you shall be allowed to file the written statement on such other day, as may be specified by the Court, for reasons to be recorded in writing and on payment of such costs as the Court deems fit, but which shall not be later than 120 days from the date of service of summons. On expiry of one hundred and twenty days from the date of service of summons, you shall forfeit the right to file the written statement and the Court shall not allow the written statement to be taken on record.

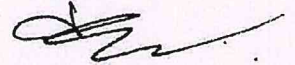
You are required to appear in this Court in person, or by a pleader duly instructed, and able to answer all material questions relating to suit, or who shall be accompanied by some person able to answer all such questions, on theday of.....atO' clock in the noon, to answer the claim; and further you are hereby to produce on the said day all documents in your possession or power upon which you base your defence or claim for set-off or counter-claim, and where you rely on any other document whether in your possession or power or not, as evidence in support or you defence or claim for set-off, or counter-claim you shall enter such documents in a list to be annexed to the written statement.

Take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence.

Given under my hand and the seal of the Court, this day of.....20.....

Judge”

By Order



(VINOD GOEL)
REGISTRAR GENERAL