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

+ **CS(COMM) 652/2025 & I.A. 15375-15379/2025**

M/S SWAGATH

.....Plaintiff

Through: Mr. Hemant Singh, Ms. Mamta Rani
Jha, Ms. Anupriya Shyam & Ms.
Anjeeta Rani, Advocates.

versus

M/S HOTEL SWAGATH

.....Defendant

Through: Mr. Resu Mahender Reddy, Senior
Advocate with Mr. Sai Krishna
Rajagopal, Mr. Shravanth Shankar,
Mr. Rohit Bhardwaj, Ms. Julien
George, Ms. Prerna Robin, Ms.
Shwetha Bhaskar Dhanturi, Mr. Vikas
Dhanturi, Mr. Resu Kaushik Reddy,
Ms. Anu Parcha, Mr. Shivnath
Sawhney & Ms. Alka Bisht,
Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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04.07.2025

I.A. 15376/2025 (u/s 12A of Commercial Courts Act)

1. As the present suit contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar v. T.K.D. Krithi*, 2023 SCC Online SC 1382, exemption from the requirement of pre-institution mediation is granted.
2. The application stands disposed of.

I.A. 15377/2025 (O-XI R-1(4) of the Commercial Courts Act)

3. The present application has been filed on behalf of the plaintiff seeking leave to file additional documents.
4. The plaintiff is permitted to file additional documents in accordance with the provisions of the Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.
5. Accordingly, the application is disposed of.

I.A. 15378/2025 (u/s 148 of the CPC)

6. Mr. Hemant Singh, counsel appearing on behalf of the plaintiff, submits that the requisite court fees shall be paid within one (1) week.
7. The statement of counsel is taken on record.
8. The application is disposed of.

I.A. 15379/2025 (exemption from clear copies/ true copies of the dim/ illegible documents)

9. Allowed, subject to the plaintiff filing legible/ translated copies of the annexures within four weeks from today.
10. The application stands disposed of.

CS(COMM) 652/2025 & I.A. 15375/2025 (O-XXXIX Rules 1 and 2 of CPC)

11. Let the plaint be registered as a suit.
12. Issue summons in the suit and notice in the application for interim injunction.
13. Mr. Sai Krishna Rajagopal, counsel accepts summons in the suit and notice in the application on behalf of the defendant and waives issuance of formal summons.
14. Written statement to the plaint and reply to the application for interim

injunction shall be filed by the defendant within thirty (30) days from today. Along with the written statement, the defendant shall also file affidavit of admission/ denial of the documents of the plaintiff, without which the written statement shall not be taken on record.

15. Liberty is given to the plaintiff to file replication, if any, within thirty (30) days from the receipt of the written statement. Along with the replication filed by the plaintiff, affidavit of admission/ denial of the documents of the defendant be filed by the plaintiff.

16. Rejoinder, if any, to the reply to the present application filed by the defendant shall be filed within two (2) weeks after the receipt of such reply.

17. The parties shall file all original documents in support of their respective claims along with their respective pleadings. In case the parties are placing reliance on a document which is not in their power and possession, its details and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

18. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

19. List before the Court on 27th August, 2025 for consideration of the application for interim injunction.

AMIT BANSAL, J

JULY 4, 2025

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