



2025:DHC:8421



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

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*Date of Decision: 22.09.2025*

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**CM(M) 1860/2025 & CM APPL. 59955/2025**

THE DESIGN VILLAGE FOUNDATION

.....Petitioner

Through: Ms. Gurmeet Bindla, Advocate.

versus

MS TULIKA VAISH

.....Respondent

Through: None.

**CORAM: JUSTICE GIRISH KATHPALIA****ORDER** (ORAL)

1. Petitioner has assailed order dated 13.08.2025 of the learned trial court, whereby it was held that the suit filed by the petitioner/plaintiff under Order XXXVII CPC has to be treated as an ordinary suit for money recovery.

2. Since summons in the suit are yet to be ordered, there is no need to issue notice of this petition.

3. I find substance in the submission of learned counsel for petitioner that the impugned order is totally devoid of reason and discussion, so not sustainable. For convenience, the relevant portion of the impugned order is



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extracted below:

*“Validity of the agreement is in doubt and so the suit is treated as an ordinary recovery suit.*

*The plaintiff is directed to file amended plaint by deleting the words ‘Order 37 CPC’ and ‘summary suit’ in the plaint wherever they are appearing”.*

4. There is no discussion at all in the impugned order as to why the learned trial court considers the validity of the agreement in question to be doubtful. Since the impugned order is devoid of reasons, the same is set aside and the matter is remanded to the learned trial court with the directions to pass a reasoned order.

5. The petition is accordingly allowed. The accompanying application also stands disposed of.

**GIRISH KATHPALIA  
(JUDGE)**

**SEPTEMBER 22, 2025/dr**