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

\+ **RFA(COMM) 284/2026 & CAV 186/2026, CM APPL. 28114/2026 CM APPL. 28115/2026, CM APPL. 28936/2026**

SNV AVIATION PVT LTD .....APPELLANT

Through: Mr Gaurav Gupta, Mr Shouryendu Ray, Mr Yashendra Singhwal and Ms Istela Jameel, Advs.

versus

ABS TOUR AND TRAVELS .....RESPONDENT

Through: Mr Abhinay Sharma, Mr Atul Sharma, Mr Pooran Roy Chand & Ms Sakshi Tripathi, Advs.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE MADHU JAIN

O R D E R

% 30.04.2026

1. This hearing has been done through hybrid mode.

CAV 186/2026

2. Caveator has entered appearance. Accordingly, Caveat is discharged.

CM APPL. 28115/2026 (for exemption)

3. Allowed, subject to all just exceptions. Application is disposed of.

RFA(COMM) 284/2026, CM APPL. 28114/2026, CM APPL. 28936/2026

4. The present appeal has been filed by the Appellant under Section 13 of the Commercial Courts Act, 2015, *inter alia,* challenging the impugned judgement dated 24th February, 2026 passed by the ld. District Judge (Commercial)-02, South-East, Saket Court in ***CS(Comm) 322/2024*** by which a decree has been passed against the Appellant for a sum of Rs.1,08,80,000/.

5. The brief facts of the case are that the Respondent which is stated to be a tour operator had booked 640 tickets with the Appellant which runs an

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airline by the name of "Akasa Air". There was a dispute in respect of the same which led to the Respondent filing a suit claiming, *inter alia,* loss of profits.

6. The submission on behalf of the Appellant is two fold. First, it is alleged that the impugned judgment has been drafted with the use of artificial intelligence software which is evident from non-existent propositions of law attributed to actual case laws that have been set out in the judgment. In addition, the ld. Counsel for the Appellant submits that the case laws cited by the Appellant have been distinguished using artificial intelligence softwares. In support of the same, the ld. Counsel has directed the Court's attention to a table in the appeal stating the relevant cases of the Supreme Court and the alleged non-existent proposition of law relied upon by the District Court. Secondly, it is submitted that the entire revenue of the subject tickets has been awarded towards loss of profits, which is completely untenable.

7. The Court has heard the matter and has also perused the impugned judgment. The Court has also perused the chart *qua* the Supreme Court decisions and non-existent propositions placed on record. The manner of drafting and the manner in which the text distinguishing the case laws is set out in the impugned judgement, *prima facie*, gives an impression that there is some AI softwares which may have been used for the same. However, at this stage, it cannot be conclusively said until further examination as to whether any AI software has been used by the ld. District Judge and if so, whether the same judgement has been properly reviewed or not. Further, if non-existent propositions are attributed to judgements, it is a matter of concern.

8. Insofar as the second submission of the Appellant is concerned, after reading paragraph 19 of the subject plaint it becomes clear that the entire cost of the subject tickets was Rs.1,08,80,000/-, and it is this total revenue of the

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Appellant that has been awarded to the Respondent. The said paragraph 19 is extracted below:

> *"19.That it has come to the knowledge of the Plaintiff that the tickets for that particular period i.e., from 23.12.2023 to 13.01.2024 were made available by the Defendant on its website to be sold at the rate of approximately Rs. 17,000/- (Rupees Seventeen Thousand) per ticket at the time of issuance of legal notice. Since the Plaintiff booked a total of 640 seats, the abrupt cancellation of the entire booking by the Defendant costed the Plaintiff the opportunity to earn Rs. 1,08,80,000 (Rupees One Crore Eight Lakhs Eighty Thousand) (Rs. 17,000 * 640 seats) in total which is the amount of profits claimed from the Defendant before this Ld. Court."*

9. Obviously, the entire cost of the subject tickets could not have been awarded as loss of profits.

10. Under these circumstances, issue notice in the appeal.

11. Mr. Abhinay Sharma, ld. Counsel accepts notice on behalf of the Respondent.

12. The impugned judgement shall remain stayed subject to deposit of a sum of Rs.20 lakhs by the Appellant with the worthy Registrar General of this Court by 30th May, 2026.

13. Let the Trial Court Record be requisitioned before the next date of hearing.

14. List this matter for hearing on 20th August, 2026.

PRATHIBA M. SINGH, J

MADHU JAIN, J

APRIL 30, 2026/*Rahul/msh*

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