



WEB COPY



A.No.4151 of 2022

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in
C.S.(Comm.Div.)No.118 of 2022

C.SARAVANAN, J.

This application has been filed to reject the plaint for its failure to comply with the mandatory provision of Section 12A of the Commercial Courts Act, 2015 by striking it off from the file of the Hon'ble Court.

2. Considering the fact that the plaint has already been taken on file and also considering the fact that the decision of the Hon'ble Supreme Court clarifying the position in **Patil Automation Private Limited and others Vs Rakheja Engineers Private Limited**, 2022 SCC Online SC 1028, was confined only to the cases filed before the cut off date, and since an application has been filed for rejecting the plaint under Order VII Rule 11 of C.P.C vide A.No.25 of 2023, this application filed under Section 12A of the Commercial Courts Act, 2015 is rejected leaving all the submissions to be canvassed in A.No.25 of 2023.



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3. This application is accordingly dismissed, leaving all the issues open to be canvassed in A.No.25 of 2023.

15.02.2023

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