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

+ **CS(COMM) 790/2025 and I.A. 18772-18778/2025**

M/S NAAGAR INFRASTRUCTURE PRIVATE LTD.Plaintiff

Through: Mr. Shreeyash Lalit and Mr. Lavam Tyagi, Advocates.

versus

DELHI TOURISM AND TRANSPORTATION DEVELOPMENT CORPORATIONDefendant

Through: Mr. Sandeep P. Agarwal, Senior Advocate with Mr. Amit Shankar Amist, Ms. Anurag Agarwal, Advocates along with Mr. Ram Niwas Kumawat, Deputy Manager (Legal).

**CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH**

**ORDER
25.09.2025**

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1. This suit is filed by the Plaintiff *inter alia* for a decree of mandatory injunction and declaration as also damages.
2. At the outset, Mr. Sandeep P. Agarwal, learned Senior Counsel appearing on behalf of Defendant No. 1 takes an objection to the maintainability of the suit on the ground that Plaintiff has not taken recourse to Pre-Institution Mediation and Settlement as mandated under Section 12A of the Commercial Courts Act, 2015.
3. Faced with this, learned counsel for the Plaintiff, on instructions, seeks to withdraw this suit with liberty to take recourse to Pre-Institution Mediation and Settlement.



4. Accordingly, this suit along with pending applications is disposed of as withdrawn with liberty as prayed for. Needless to state that this Court has not expressed any opinion on the merits of the case and all rights and contentions of the parties are left open as also that in case the Pre-Institution Mediation and Settlement does not succeed, Plaintiff will be at liberty to take recourse to legal remedies.

JYOTI SINGH, J

SEPTEMBER 25, 2025/RW