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

+ **CM(M) 125/2026, CM APPL. 3342/2026&CM APPL. 3343/2026**

PUBLIC CLOTHING PVT LTDPetitioner

Through: Mr. Manish Kaushik, Advocate.

versus

RDSS FEB PVT LTDRespondent

Through: Mr. Shreyek Gupta, Advocate.

CORAM:

HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **17.01.2026**

1. This hearing has been conducted through hybrid mode.
2. The present petition has been filed by the petitioner under Article 227 of the Constitution of India, 1950, assailing the order dated 04th December, 2025 passed by the learned trial court in CS (COMM) bearing no. 252/2024, whereby the application filed by the petitioner under Order XI Rule 10 Code of Civil Procedure, 1908, as amended by the the Commercial Courts Act, 2016, seeking permission to place additional documents on record, has been dismissed.
3. Learned counsel for the respondent appears on advance notice and accepts notice.
4. With the consent of the learned counsels for the parties the matter is heard today itself. Record perused.



5. Learned counsel for the petitioner submits that the documents sought to be placed on record, i.e., the plaint, written statement, and the order dated 09th June, 2025 in Civil Suit no. 680/2024, pending before the Commercial Courts, Tis Hazari Courts, are relevant for the adjudication of the present matter. It is further submitted that these documents could not be filed earlier as some of them came into existence after the filing of the written statement in the present suit.

6. *Per contra*, learned counsel for the respondent submits that the impugned order has been passed after considering the material on record. It is contended that the present petition was filed only to delay the proceedings pending before the Trial Court and that the documents sought to be brought on record have no relevance to the present petition. It is further submitted that the petitioner has failed to explain the unreasonable delay of one year in filing the said documents, despite having knowledge of their existence. It is, therefore, prayed that the petition be dismissed.

7. Learned counsel for the parties submits that the issues are yet to be framed in the suit and that the matter is presently at the stage of hearing of arguments of the application seeking summary judgment.

8. Keeping in view the facts and circumstances of the case and the fact that the issues are yet to be framed in this case and it is at the stage of hearing of arguments of the application seeking summary judgment, this court is of the opinion that, that it is in the interest of justice, the documents sought to be placed on record by the petitioner can be taken on record, as the respondent can be compensated with cost. Accordingly, impugned order is set aside and the documents as sought by the petitioner are brought on record, subject to payment of costs of Rs.25,000/- to the respondent.



9. Accordingly, the petition is disposed of on the above--stated terms, along with pending application(s), if any.

RAJNEESH KUMAR GUPTA, J

JANUARY 17, 2026

v/abk