



\$~2

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

+ **FAO(OS) (COMM) 98/2026**

VARDHMAN TRUSTEESHIP PVT. LTD.Appellant

Through: Mr. Yashvardhan, Mr. Pranav
Das and Mr. Shubhang Shukla,
Adv.

versus

JYOTSANA DUBEY & ANR.Respondents

Through: Mr. Ankit Jain, Mr. Mihir
Gujjewar, Mr. Parth Gautam
and Mr. Divyanshu Rathi, Adv
for R-1.

Ms. Mahima Ahuja, Mr.
Abhinav Gargs, Mr. Deepanshu
and Ms. Aditi Arora, Adv.

CORAM:

HON'BLE MR. JUSTICE VIVEK CHAUDHARY

HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER

% **23.04.2026**

CM APPL. 23143/2026 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

**FAO(OS) (COMM) 98/2026, CM APPL. 23142/2026 & CM
APPL. 23144/2026**

3. The present appeal has been filed under Order XLIII Rule 1 of the Code of Civil Procedure, 1908, read with Section 13 of the Commercial Courts Act, 2015 and Section 10 of the Delhi High Court Act, 1966, against the Order dated 24.02.2026 passed by the learned



Single Judge of this Court in CS(COMM) No. 177/2026, whereby the plaint (Commercial Suit) of the appellant was returned with direction to first resort to 'pre-institution mediation' proceedings and then approach the Court.

4. After some hearing, the learned counsel for the parties agree to proceed first for 'pre-institution mediation' as provided under Section 12A of the Commercial Courts Act, 2015.

5. The learned counsel for the appellant prays that in case the matter fails to settle in 'pre-institution mediation', he may be permitted to file the same plaint again along with the requisite court fee.

6. It goes without saying that since the plaint has not been rejected but returned, the same can always be filed afresh, in accordance with law.

7. In case the parties resort to 'pre-institution mediation, it is expected that such proceedings shall be conducted expeditiously and concluded positively within the statutory period provided under Section 12A of the Commercial Courts Act, 2015.

8. In the aforesaid terms, the present appeal, along with all pending applications, stands disposed of.

VIVEK CHAUDHARY, J

RENU BHATNAGAR, J

APRIL 23, 2026

p/nc