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IN THE HIGH COURT OF DELHI AT NEW DELHI
FAO(OS) (COMM) 258/2024, CM APPL. 66315/2024 & CM
APPL. 41232/2025

R K CONTAINER LINE PVT LTD

.....Appellant

Through: Mr. Ankit Jain, Senior Adv.
with Mr. Pritish Sabharwal, Mr.
Sanjeet Kumar & Ms. Mehvish,
Advs.

versus

ACME CLEANTECH SOLUTIONS

PVT LTD & ORS.

.....Respondents

Through: Mr. Dhanesh Relan &
Mr. Shikhar Misra, Advs. for
R1 & R2
Mr. Sahil Chopra and Mr. Yash
Tewari Advs. for R3

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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24.02.2026

1. The present appeal has been filed against the order dated 16.10.2024 (hereafter '**the impugned order**'), in CS (COMM) 825/2024, whereby the learned Single Judge disposed of the application under Order XXXIX Rules 1 & 2 of the Code of Civil Procedure, 1908 ('**CPC**') with direction to Defendant No.2 to release the five Flat Rack containers to the Appellant/ Defendant No.1 to be transported to the Plaintiffs/Respondent Nos. 1 & 2.
2. Subsequently, the order was clarified on 21.10.2024. On the said date, the learned Single Judge had directed the Appellant to pay detention and demurrage charges to the Plaintiff. This order was



passed in view of an undertaking wherein the Appellant had agreed to absorb the said charges and the cost of delay.

3. By interim order dated 13.11.2024, the direction to the Appellant to pay the aforesaid amount was stayed during the pendency of the proceedings. It was however made clear that the order will not come in the way of the learned Single Judge passing a final order on the basis of any purported admissions.

4. Pursuant to the same, the Plaintiff has filed an application under Order XII Rule 6 of the CPC seeking judgment on admissions.

5. After making some submissions, learned counsel representing the Parties have come to a consensus.

6. Learned counsel representing the Appellant, on instructions, submits that the Appellant will deposit 50% of the amount already paid by the Plaintiff for release of the five Flat Rack containers.

7. It is agreed that the amount so deposited by the Appellant shall be released forthwith to the Plaintiff if the application under Order XII Rule 6 of the CPC is allowed by the learned Single Judge. It is also agreed between the Parties that a request be made to learned Single Judge to decide the application under Order XII Rule 6 of the CPC expeditiously.

8. In view of the above, this Court considers it apposite to dispose of the present appeal in terms of the agreement between the parties with a request to the learned Single Judge to decide the application expeditiously preferably within a period of next two months.

9. The Appellant is directed to deposit the stipulated amount with the Registrar General of this Court within a period of two weeks from today.

10. In the meantime, Registrar General is directed to invest the



deposited amount in an interest-bearing Fixed Deposit Receipt in a Nationalized Bank.

11. Needless to say, this Court has not examined the matter on merits and the learned Single Judge will proceed to decide the case uninfluenced by the observations made either in the impugned order or by this Court.

12. The Parties through their Counsel are directed to appear before the learned Single Judge (Roster Bench) on 17.03.2026.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

FEBRUARY 24, 2026

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