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

+ **CS(COMM) 985/2025 & I.As. 22933-37/2025**

**AMBUJA CEMENTS LIMITED**

.....Plaintiff

Through: Mr. Chander M. Lall, Sr. Advocate  
and Mr. Kirtimaan Singh, Sr.  
Advocate with Mr. Ajay Singh, Mr.  
Amit Kumar, Ms. K. Sindhiya, Mr.  
Deepak Khandelwal, Mr. Vivek  
Kumar Singh and Ms. Annanya,  
Advocates

versus

**JSW CEMENT LIMITED & ANR.**

.....Defendants

Through: Mr. Rajiv Nayar, Mr. Ankur Sangal,  
Mr. Ankit Arvind and Ms. Nidhi  
Pathak, Advocates

**CORAM:**

**HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA**

**ORDER**

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**17.09.2025**

**I.A. 22936/2025** (Application seeking exemption from advance service)

1. This is an application filed by the plaintiff under section 151 of the Cde of Civil Procedure [CPC], seeking exemption from advance service of the suit paper book to defendant no. 1 and 2.
2. Mr. Ankur Sangal, Advocate enters appearance on behalf of the defendants.
3. The learned counsel for the plaintiffs is directed to provide a copy of the paper-book to the defendants.

**I.A. 22935/2025** (application seeking exemption for instituting pre-



institution mediation)

4. The is an application filed by the plaintiff under Section 12A of the Commercial Courts Act, 2015 ('Act of 2015') read with Section 151 of the CPC, seeking exemption from instituting pre-litigation mediation.

5. Without prejudice to the rights and contentions of the parties, the parties are willing to consider mediation.

6. List the matter before the Delhi High Court Mediation and Conciliation Centre on 26.09.2025 at 03:30 P.M.

7. Keeping in view of the urgent relief prayed for in this matter, the relief for exemption is granted. The Application stands disposed of.

**I.A. 22934/2025 (application seeking filing of additional documents)**

8. This is an application filed by the plaintiff under Order XI Rule 1(4) of the CPC[as amended by the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 ('Commercial Courts Act')], seeking leave to file additional documents within 30 days.

9. The Plaintiff, if it wishes to file additional documents will file the same within 30 days from today, and it shall do so strictly as per the provisions of the Commercial Courts Act and the Delhi High Court (Original Side) Rules, 2018 ('DHC Rules').

10. For the reasons stated in the application, the same is allowed.

11. Accordingly, the application is disposed of.

**CS(COMM) 985/2025 & I.A. 22933/2025 (Under Order XXXIX Rule 1 and 2 CPC)**

12. The present suit has been filed seeking permanent injunction restraining infringement of trademarks, passing off, unfair competition, dilution, delivery up, rendition of accounts, damages, etc. against the



defendants.

13. Let the plaint be registered as a suit.

14. Issue summons.

15. Mr. Ankur Sangal, learned counsel on behalf of defendant nos. 1 and 2 accepts summons.

16. He confirms the receipt of the suit paper-book and waives the right of formal service of summons.

17. He states that he will file his Vakalatnama within a period of one (1) week.

18. The written statement(s) be filed within thirty day(s) from the date of receipt of summons. The defendants shall also file affidavits of admission/denial of the documents filed by the plaintiff, failing which the written statements shall not be taken on record.

19. The plaintiff is at liberty to file replication(s) thereto within thirty days after filing of the written statements. The replication(s) shall be accompanied by affidavits of admission/denial in respect of the documents filed by the defendants, failing which the replications shall not be taken on record.

20. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.

21. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.

22. Let the reply to I.A. 22933/2025 be filed within a period of 10 days.

23. Rejoinder thereto, if any, be filed within a period of 10 day(s) thereafter.

24. Let the written note of submissions in the interim application not



exceeding three (3) pages be filed two (2) days prior to the next date of hearing.

25. It is made clear that notwithstanding reference to the mediation, the parties will complete their pleadings within the time bound manner.

26. List before the Court on **15.10.2025**.

27. Copy of the Order be sent to the Organizing Secretary of the Delhi High Court Mediation & Conciliation Centre for information and compliance.

**MANMEET PRITAM SINGH ARORA, J**  
**SEPTEMBER 17, 2025/rhc/IB**