

ITEM NO.14

COURT NO.1

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) No. 2753/2025

[Arising out of impugned final judgment and order dated 13-11-2024 in CA No. 1/2024 passed by the High Court of Himachal Pradesh at Shimla]

NOVENCO BUILDING AND INDUSTRY A/S

Petitioner(s)

VERSUS

XERO ENERGY ENGINEERING SOLUTIONS
PRIVATE LIMITED & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No. 27116/2025 - APPLICATION FOR EXEMPTION FROM FILING TYPED DOCUMENTS)

Date : 07-02-2025 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJAY KUMAR

For Petitioner(s) :

Mr. Neeraj Kishan Kaul, Sr. Adv.
Ms. Aprajita Singh, Sr. Adv.
Mr. Pankaj Soni, Adv.
Mr. Vineet Rohilla, Adv.
Ms. Shradha Karol, Adv.
Mr. Debashish Banerjee, Adv.
Mr. Rohit Rangi, Adv.
Ms. Ira Mahajan, Adv.
Mr. Ankush Verma, Adv.
Mr. Tanveer Malhotra, Adv.
Ms. Vaishali Joshi, Adv.
Ms. Gurneet Kaur, Adv.
Mr. Sarthak Chiller, Adv.
Mr. Rohit Lochav, Adv.
Mr. Kartik Kumar Aggarwal, Adv.
Mr. Vikrant Narayan Vasudeva, AOR

For Respondent(s) :

Mr. Shadan Farasat, Sr. Adv. (N/P)
Mr. Aman Naqvi, Adv.
Mr. Prannv Dhawan, Adv.
Mr. Yash S. Vijay, AOR
Mr. Afeef Mohammed, Adv.

**UPON hearing the counsel, the Court made the following
O R D E R**

Issue notice, returnable in the week commencing 24.03.2025.

Notice will be served by all modes, including *dasti*.

The question that requires consideration by this Court is whether, due to non-compliance with Section 12A of the Commercial Courts Act, 2015, a suit should be dismissed under Order VII Rule 11 of the Code of Civil Procedure, 1908, or whether it should be kept in abeyance, directing the parties to first explore the possibility of settlement by instituting mediation.

In the meanwhile, the petitioner, Novenco Building and Industry A/S, will move a letter before the Mediation Centre attached to the High Court of Himachal Pradesh, seeking appointment of a mediator, to explore the possibility of settlement and request the opposite side to join such mediation.

**(DEEPAK GUGLANI)
AR-cum-PS**

**(R.S. NARAYANAN)
ASSISTANT REGISTRAR**