

Supreme Court Reaffirms Strict Compliance with Timelines Under the Commercial Courts Act, 2015

*Levitate Mobile Technologies Pvt. Ltd. v. Standard Chartered Bank & Anr. | 2026 INSC 674 | Supreme Court of India
Decided on 09 July 2026*

Summary

By judgment dated 9 July 2026, the Supreme Court dismissed an appeal challenging the rejection of an application seeking leave to place additional documents on record, and to recall a witness for further examination, in a commercial suit pending before the High Court of Delhi. In doing so, the Court reaffirmed that the procedural timelines and disclosure obligations prescribed under the Commercial Courts Act, 2015 are to be strictly construed, and that the relevance of documents sought to be introduced, or the volume of records involved, does not, by itself, constitute sufficient justification for departure from those timelines.

Background

The appellant, Levitate Mobile Technologies Pvt. Ltd. ("LMT"), had instituted a civil suit in 2015 against Standard Chartered Bank ("SCB") arising out of a dispute concerning a revenue-sharing arrangement under an IT Professional Services Agreement. The suit was subsequently renumbered as a commercial suit and made subject to the Commercial Courts Act, 2015. Following the completion of evidence of the plaintiff's principal witness in 2023, LMT sought leave to place additional documents on record, including email correspondence, vendor agreements, and backend server data, and to recall the witness for that purpose. The Single Judge of the High Court dismissed the application, holding that no reasonable cause had been shown for the considerable delay. LMT thereafter approached the Supreme Court.

Findings of the Court

1. Applicable standard. The Court accepted that the correct standard applicable to an application under Order XI Rule 1 of the Code of Civil Procedure, 1908, as amended by the Commercial Courts Act, is "reasonable cause" rather than "sufficient cause." This distinction, however, did not alter the outcome, as no reasonable cause was found to exist on the facts.

2. Relevance is not determinative. The documents sought to be introduced were found to have been in LMT's possession both at the institution of the suit and at the time an earlier application for additional documents had been allowed. The Court held that the relevance of such documents could not, without more, justify a piecemeal or staggered approach to the production of evidence.

3. Volume of records no excuse. The contention that the sheer volume of correspondence and records had impeded timely compliance was rejected as an insufficient ground, consistent with the Act's underlying objective of expeditious disposal.

4. Applicability to pending suits. The Court held that Section 15 of the Commercial Courts Act operates to apply the Act's procedure, in full, to suits transferred to the Commercial Division upon such transfer, without qualification or partial application.

5. Cross-examination not a ground for reopening evidence. The Court observed that a plaintiff leading evidence is expected to anticipate, in advance, the lines of cross-examination likely to be pursued by the opposing party. Matters emerging during cross-examination do not, without more, warrant the reopening of the evidentiary record.

Implications

This judgment underscores the Supreme Court's continued and consistent emphasis on strict compliance with the procedural framework of the Commercial Courts Act, 2015, in furtherance of its legislative objective of ensuring the expeditious resolution of commercial disputes. Parties to commercial litigation, whether at the stage of institution or during the pendency of proceedings, would be well advised to ensure that all documentary evidence within their possession is placed on record at the earliest available opportunity, and that reliance is not deferred in anticipation of subsequent necessity. This judgment is likely to be of relevance to clients presently engaged in, or contemplating, commercial litigation before the Commercial Courts or Commercial Divisions of the High Courts.

Disclaimer: *This update has been prepared for general informational purposes only and does not constitute legal advice. We would be pleased to discuss the implications of this judgment as they may pertain to any specific matter.*