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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 3005/2010
VIJAY AHUJA Petitioner

Through Mr. D.D. Singh, Advocate

versus

BSES YAMMUNA POWER LTD Respondent

Through Mr. Manish Srivastava, Mr.
Sanjeet Ranjan and Mr. Kapil,
Advocates

CORAM:
HON'BLE MR. JUSTICE M.L. MEHTA

% **ORDER**
15.11.2011

This is a petition for quashing of complaint No. 49/10/10 and the summoning order dated 19th February, 2010 wherein summons were issued by the Court to the petitioner under Section 135 read with section 151 of the Electricity Act.

I have heard learned counsel for the petitioner and respondent. The petitioner has challenged the impugned order and has taken me through various documents on record. I am of the view that all the questions which are sought to be raised by the petitioner in the present proceedings are the disputed questions of facts which require elaborate trial and would require determination on the basis of facts, and cannot be enquired and gone into by the court in these proceedings.

I am informed that the matter is listed before the trial court for consideration on charges. The petitioner would be at liberty to present all these documents and arguments based on facts and law before the trial court who will consider the same at the time of consideration of charges

against the petitioner.

The observations made here will not tantamount to any expression
on the merit of the case.

With these observations, the petition is disposed of.



M.L. MEHTA, J

NOVEMBER 15, 2011

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