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

+ CRL.M.C. 571/2016

M/S OM TRADERS

..... Petitioner

Through Mr.Anil Aggarwal and Mr.S.N.
Pandey, Advs.

versus

THE STATE, GNCT DELHI & ORS

..... Respondent

Through Ms.Meenakshi Chauhan, APP.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

% **05.05.2016**

Arguments heard.

The only grouse of the petitioner is that after the amendment in the Negotiable Instruments Act, 1881, the complaint was required to be returned to the petitioner for re-filing in the Court having its jurisdiction to try the same, but the petitioner could not reach the Court below on 11.01.2016 and as a result of the same, the complaint was dismissed in default for non-appearance as well as for non-prosecution.

Counsel for the petitioner submits that in such a scenario it would cause great prejudice to the petitioner if the impugned order dated 11.01.2016 is not set aside and the complaint is not returned to be re-filed in the competent Court at Faizabad, Uttar Pradesh.

In the facts and circumstances, the order dismissing the

complaint filed by the petitioner for non-prosecution is hereby set aside. The petitioner shall appear before the Court below on 16.05.2016 and the Trial Court shall proceed in accordance with law.

The present petition is disposed of accordingly.

P.S.TEJI, J

MAY 05, 2016
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