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

+ **CO.APP. 4/2017 & CM No. 6901/2017**

DEEPAK KHOSLA

..... Appellant

Through: Mr. Deepak Khosla, Appellant in person

versus

..... Respondent

Through

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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29.03.2017

The appellant's grievance is that the Company Judge should not have issued notice in the first instance who merely determined *ex parte* whether Section 340 Cr.P.C. proceedings ought to have been drawn. He relies upon the new Rule 3 of the Delhi High Court Rules, 1967 relating to offences against justice and contends that it was amended pursuant to such an objection. He also relies upon other authorities of this Court.

In the light of these submissions, the Court is of the opinion that the appellant should urge these contentions, which may be appropriately considered by the Company Judge while proceeding further in the matter relating to the application under Section 340 Cr.P.C.

The appellant complains that though two weeks returnable notice was issued on 23.10.2016, no substantial progress has been

made in the matter. The Single Judge is requested to look into the matter and pass appropriate orders.

The appeal is disposed off in the above terms.

S. RAVINDRA BHAT, J

NAJMI WAZIRI, J

MARCH 29, 2017/kk