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

+ **CRL.M.C. 560/2019 & CRL.M.A.2332/2019**

OMWAY BUILD ESTATE PVT LTD & ORS Petitioners

Through: Mr. Ashish Aggarwal,
Ms.Shefali Kishore and
Ms.Shruti Gupta, Advs.

versus

SATYENDRA JAIN Respondent

Through: Appearance not given

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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11.02.2019

CRL.M.C. 560/2019 & CRL.M.A.2332/2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') for setting aside the order dated 26.10.2018 passed by the Metropolitan Magistrate, Saket Court Complex, New Delhi in Criminal Complaint No.619012/2016 titled as "Satyendra Jain v. Omway Buildestate Private Limited and Ors." and seeking permission to argue the case.
2. Learned counsel for the petitioners submitted that he is the counsel for the petitioners before the Trial Court and he shall address the arguments, given an opportunity, on 12.2.2019 at 2:30 pm which is already fixed by the Trial Court.
3. Learned counsel for the petitioners has undertaken that he shall not take any adjournment under any circumstances and shall conclude his arguments on the above-said date within 90 minutes.

4. Learned counsel for the respondent, after some arguments, submitted that just to cut short delay in the matter as well as in the interest of justice, the petition may be allowed without prejudice to the rights and contentions of the parties subject to heavy costs.

5. Accordingly, in view of the aforesaid facts and circumstances, the order dated 26.10.2018 is set aside. The statement of the learned counsel for the petitioners is accepted and taken on record to the effect that the learned counsel for the petitioners shall address the arguments on 12.2.2019 at 2:30 pm and shall conclude the same within 90 minutes.

6. It is clarified that no further adjournment shall be granted by the Trial Court, for any reason whatsoever, for the purpose of arguments. Accordingly, the petition is allowed subject to cost of Rs.25,000/- upon the petitioners.

7. The petition is disposed of in the above terms. Pending application is also disposed of.

CHANDER SHEKHAR, J

FEBRUARY 11, 2019/rk