

230 CRM-A-65-MA-2017(O&M)

M/S MASTER CAPITAL SERVICES LTD V/S GAURAV JAIN

Present: Mr. I.S.Ratta, Advocate
for the applicant.

CRM-18767-2018

Allowed, as prayed for. Statement of complainant (CW1) is taken on record subject to all just exceptions.

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Despite valid service of notice, the respondent is neither present in person nor through his engaged counsel. Therefore, he is proceeded against *ex-parte*.

Learned counsel for the applicant submits that the documentary evidence adduced by the applicant was totally ignored by the learned trial Court concerned, which could establish that the cheque in question was issued in discharge of legal liability/debt.

The aforesaid issue requires consideration.

Leave to appeal is granted.

Application stands allowed.

Registry is directed to register the appeal.

Admitted.

Bailable warrants comprised in a sum of Rs.50,000/- be issued within two weeks to the Executing Officer concerned, for his therethrough, ensuring the presence of the respondent before this Court, as and when, his appearance is required, and, bailable warrants (*supra*) be made returnable within four weeks thereafter.

May 01, 2024
ajay-1

(KULDEEP TIWARI)
JUDGE