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

+ CRL.L.P. 55/2024

M/S. P. D. PRODUCTS PVT. LTD.

.....Petitioner

Through: Mr. Jasbir Bibhuti, Mr. Varun Mittal,
Mr.Vivek Sansanwal, Mr. Akash
Sharma, Ms. Anamika Singh, Adv.

versus

RAHUL AND ANR.

.....Respondents

Through: Mr. Aman Narula, Adv. for R-2

+ CRL.L.P. 56/2024

M/S. P. D. PRODUCTS PVT. LTD.

.....Petitioner

Through: Mr. Jasbir Bibhuti, Mr. Varun Mittal,
Mr.Vivek Sansanwal, Mr. Akash
Sharma, Ms. Anamika Singh, Adv.

versus

ASHOK KUMAR PATWA AND ANR.

.....Respondents

Through: Mr. Aman Narula, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

06.08.2024

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The present petitions have been filed for restoration of these petitions CC NI Act/431/2022 Titled “M/S P D Products Pvt. Ltd. Vs Rahul & Anr.” in CRL.L.P. 55/2024 and CC NI Act/430/2022 Titled “M/S P D Products Pvt. Ltd. Vs Ashok Kumar Patwa & Anr” in CRL.L.P. 56/2024.

The present petitions were dismissed in default for non-prosecution vide order dated 24.11.2023 by the learned MM (NI Act) Digital Court No.3, North West, District, Rohini Courts.

Learned counsel submits that on 24.11.2023, he could not appear on



account of an inadvertent mistake. Learned counsel has shown his diary to show that the case was not listed on 24.11.2023 in the diary. Learned counsel submits that it is an inadvertent error.

Learned counsel for respondent No.2 has appeared and stated fairly that the petitions may be allowed subject to the cost.

As per the record, respondent No.1 has not even been served before the learned Trial Court.

In view of the facts and circumstances, the order dated 24.11.2023 is set aside and CC NI Act/431/2022 Titled “M/S P D Products Pvt. Ltd. Vs Rahul & Anr.” in CRL.L.P. 55/2024 and CC NI Act/430/2022 Titled “M/S P D Products Pvt. Ltd. Vs Ashok Kumar Patwa & Anr” in CRL.L.P. 56/2024 are restored to its original numbers subject to payment of Cost of Rs.2,000/- each to be deposited with the Delhi State Legal Service Authority.

Parties are directed to appear before the Principal District and Sessions Judge, North West, Rohini Courts on 12.08.2024 for further proceedings.

In view of the above, the present petitions stand disposed of.

DINESH KUMAR SHARMA, J

AUGUST 6, 2024

Pallavi