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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 2514/2024**
SANJAY GOEL

.....Petitioner

Through: Mr. Mayank Wadhwa, Advocate.

versus

AMIT GUPTA

.....Respondent

Through: None.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
12.08.2024

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1. The petitioner is defendant No. 6 before the learned Trial Court and during course of the proceedings, before learned Trial Court, he had moved an application under Section 340 of Cr.P.C.
2. The learned Trial Court considered the aforesaid application on 20th December, 2023 and observing that no one should be condemned unheard, directed that a copy of such application be supplied to the counsel for non-applicant i.e. Director of the plaintiff company. Thereafter, the matter was fixed for further consideration of the said application.
3. However, when the court took up the aforesaid application on 6th January, 2024, it noticed that applicant was not interested in supplying the copy of the aforesaid application to the non-applicant and, therefore, the application was dismissed for non-compliance.
4. During course of the arguments, learned counsel for petitioner has stated that without prejudice to his rights and contentions, he would ensure

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that as directed by the learned Trial Court in its order dated 20th December, 2023, copy is supplied to the non-applicant.

5. In view of the above, he does not wish to press the present petition and states that he would make appropriate application in this regard before the learned Trial Court seeking revival of the application which had been dismissed on 6th January, 2024 and would also ensure that a copy of such application is duly supplied to the opposite side.

6. The petition is accordingly, disposed of as not pressed.

7. The petitioner is at liberty to take appropriate steps for the purposes of revival of the application and to comply with the directions given by the learned Trial Court.

MANOJ JAIN, J

AUGUST 12, 2024/ss