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

+ **CRL.M.C. 6408/2023**

**KAPIL MODI**

..... Petitioner

Through: Ms. Manju Saxena, AR of the  
petitioner.

versus

**STATE AND ORS.**

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State  
with SI Ramphool PS Fatehpur Beri,  
Delhi.

Mr. Shiv Chopra, Advocate for  
respondent No.2.

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

**ORDER**

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**01.04.2024**

**CRL.M.A. 9742/2024 (exemption)**

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

**CRL.M.A. 24035/2023(delay in re-filing of 31 Days)**

1. By way of present application, the applicant/petitioner seeks condonation of delay of 31 days in re-filing the petition.
2. Issue notice. Learned APP for the State and learned counsel for respondent No.2 accept notice.
3. For the reasons stated in the application, the application is allowed and the delay of 31 days is condoned.
4. Application is disposed of.

**CRL.M.C. 6408/2023 & CRL.M.A. 9741/2024**

1. By way of present petition, the petitioner seeks to assail the order dated 19.05.2023 passed by learned ASJ, Saket Courts, New Delhi in Crl.



Rev. No. 242/2021 whereby the petitioner was not granted the right to file rejoinder.

2. Mr. Shiv Chopra, learned counsel for the respondent No.2 states that without prejudice to his rights and contentions, he does not oppose the prayer made in the petition.

3. At this stage, Ms. Manju Saxena, AR of the petitioner states that the matter is now listed before the trial court on 04.04.2024 and submits that sufficient time to file rejoinder be granted.

4. Considering that the matter is listed for final arguments before the learned Trial Court, the petitioner shall make a request to the learned trial court on the next date of hearing, who shall consider the said request and grant appropriate time to the petitioner to file rejoinder. The trial court shall also make an endeavour to expedite and conclude the proceedings as early as possible.

5. The petition alongwith pending application is disposed of in above terms.

**MANOJ KUMAR OHRI, J**

**APRIL 1, 2024/rd**