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

+ **TR.P.(CRL.) 76/2024**

M/S. ANS CONSTRUCTION PVT. LTD.

.....Petitioner

Through: Mr. Utkarsh Singh, Mr. Gaurav
Bishnoi, Mr. Tauheed Arshi, Mr.
Parteek Mathur, Mr. Mayank Gupta,
Adv.

versus

M/S NELLORE INTERNATIONAL AIRPORT LIMITED & ORS.

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

23.07.2024

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CRL.M.A. 21354/2024(Exemption)

Exemption is allowed subject to all just exceptions

TR.P.(CRL.) 76/2024

1. The present petition has been filed under Section 407 Cr. PC seeking transfer of the complaint case No.23/2022 and complaint case No. 2841/2022 titled as M/S. ANS CONSTRUCTION PVT. LTD vs. M/S NELLORE INTERNATIONAL AIRPORT LIMITED & ORS.pending before the learned MM, NI Act, Digital Court-01, South East District Delhi to the Court of learned MM (NI Act, Digital Court-03, South District, New Delhi.
2. Learned counsel for the petitioner submits that in fact five cheques were issued by the respondent to the petitioner bearing cheques



Nos.000609 to 000613. Learned counsel submits that since all the cheques were dishonored, the complaint under Section 138 of the NI Act was filed. Learned counsel submits in all three criminal complaints under Section 138 of the NI Act were filed. It has been submitted that regarding two cheques Complaint Case No.2450/2022 is pending before the Court of learned MM (NI Act, Digital Court-03, South District, New Delhi.

3. Learned counsel submits that the complaint case No. 23/2022 and 2841/2022 are pending in the Court of learned MM (NI Act, Digital Court-01, South East District Delhi. The summons have yet not been issued.
4. Learned counsel submits that for the purpose of avoiding any contradictory judgments and expeditious disposal, the complaint cases Nos. 23/2022 and 2841/2022 which are pending in the Court of Learned MM (NI Act, Digital Court-01, South East District Delhi may be transferred to the Court of Learned MM (NI Act, Digital Court-03, South District, New Delhi.
5. Since the summons have yet not been issued in the complaint case Nos. 23/2022 and 2841/2022 and to avoid any contradictory judgment and expeditious trial, the complaint cases Nos. 23/2022 and 2841/2022 are withdrawn from the Court of Learned MM (NI Act, Digital Court-01, South East District Delhi and transferred to the Court of Learned MM (NI Act, Digital Court-03, South District, New Delhi.
6. Learned Principal and District Session Judge, South East District Delhi is requested to send the complete record of the complaint case



Nos. 23/2022 and 2841/2022 to the Learned Principal and District Session Judge, South District, New Delhi.

7. Learned Principal and District Session Judge, South District, New Delhi is requested to assign the matters to the competent court.
8. In view of the above, the present petition stands disposed of.

DINESH KUMAR SHARMA, J

JULY 23, 2024

Pallavi