

24.06.2021

J-1 PRONOUNCEMENT OF JUDGMENT (APPLT. JURISDICTION)

HON'BLE MR. JUSTICE J.R.MIDHA

1. FAO 385/2013

CM APPLN.15735/2013

CM APPLN.20942/2016

CM APPLN.752/2018

CM APPLN.27316/2018

CM APPLN.45143/2018

CM APPLN.25425/2019

THE NEW INDIA ASSURANCE CO. LTD.

VS PURAN LAL & ORS

PANKAJ SETH, S.P. JAIN

AMICUS CURIE, SATYAM THAREJA

SAURABH PRAKASH, AMICUS CURIE

KANWAL JEET ARORA, NANDITA RAO

2. MAC.APP.851/2018

THE NEW INDIA ASSURANCE CO. LTD.

VS MADAN LAL BATRA & ORS.

D. RAJESHWAR RAO, CHIRAG MITTAL

AKSHAY KUMAR,

HIGH COURT OF DELHI

23, JUNE 2021

REGISTRAR (LISTING)

COURT NO. 44 (OS-C)
SECOND FLOOR, NEW COURTS BLOCK
HON'BLE MR. JUSTICE J.R. MIDHA

To join Virtual hearing please click the link given below:-

<https://delhihighcourt.webex.com/meet/dhcecourt>

FOR PRONOUNCEMENT

1 CS(OS) 277/2020
I.A. 8509/2020
I.A. 8510/2020
I.A. 8903/2020
I.A. 4164/2021

DR. MAYA D. CHABLANI
Vs. SMT RADHA MITTAL & ORS.

ABHISHEK GUSAIN, SAM C. MATHEW,
PRAGYAN SHARMA, D.K. PANDEY,
DEEPAK KUMAR, NANDITA RAO,
MANISHA T. KARIA, SUKHDHAKALRA,
ADARSH KUMAR, NIDHI NAGPAL,



HIGH COURT OF DELHI: NEW DELHI

No. 75/Rules/DHC

Dated : 21.06.2021

PRACTICE DIRECTIONS

In compliance of the order of Hon'ble Supreme Court of India dated 16.04.2021 passed in Suo Motu Writ Petition (Criminal) No. 2/2020 titled "*In Re: Expeditious Trial of Cases under Section 138 of Negotiable Instrument Act 1881*", the following directions are hereby issued: -

1. The Magistrates having jurisdiction to try offences under the Negotiable Instruments Act, 1881 (in short N.I. Act), shall record cogent and sufficient reasons before converting a complaint under Section 138 of the N.I. Act from summary trial to summons trial in exercise of power under the second proviso of section 143 of N.I. Act. Due care and caution shall be exercised in this regard and the conversion of summary trial to summons trial shall not be in a mechanical manner.
2. On receipt of any such complaint under Section 138 of N.I. Act, wherever it is found that any accused is resident of the area beyond the territorial jurisdiction of the Magistrate concerned, an inquiry shall be conducted by the Magistrate to arrive at sufficient grounds to proceed against the accused as prescribed under Section 202 Cr.P.C.
3. While conducting any such inquiry under Section 202 Cr.P.C., the evidence of witnesses on behalf of the complainant shall be permitted to be taken on affidavit. In suitable cases, the Magistrate may restrict the inquiry to examination of documents for satisfaction as to the sufficiency of grounds for proceeding under the said provision.
4. Trial Court shall treat service of summons in one complaint under Section 138 N.I. Act forming part of a transaction, as deemed service in respect of all complaints filed before the same Court relating to dishonor of cheques issued as part of the same transaction.
5. Trial Courts have no inherent power to review or recall the issue of summons in relation to complaint filed under Section 138 of N.I. Act. However, the same shall not affect the power of the Trial Court under Section 322 of Cr.P.C to revisit the order of issue of process in case it is brought to the court's notice that it lacks jurisdiction to try the complaint.

6. Section 258 of Cr.P.C. has no applicability to complaints under Section 138 of N.I.Act. The words "*as far as may be*" in Section 143 are used only in respect of applicability of Sections 262 to 265 of the Code and the summary procedure to be followed for trials under the said Code.
7. The Appellate Courts before which appeals against the judgments in complaint under Section 138 of N.I. Act are pending are directed to make an effort to settle the dispute through mediation.

These Practice Directions shall come into force with immediate effect.

By Order
Sd/-
(MANOJ JAIN)
REGISTRAR GENERAL

**LIST OF BUSINESS FOR
THURSDAY, THE 24th JUNE, 2021**

MATTERS LISTED FOR 24.06.2021

HON'BLE MR. JUSTICE J.R. MIDHA

[NOTE: IN CASE ANY ASSISTANCE REGARDING VIRTUAL HEARING IS REQUIRED,, PLEASE CONTACT,
MR. AJAI KUMAR RANA (PH:-8448937439) COURT MASTER & NEERAJ KUMAR(9953741920) ACM
TO HON'BLE MR. JUSTICE J.R. MIDHA.

[NOTE: COUNSELS/PARTIES LITIGANTS WHO INTEND TO JOIN VIRTUAL MEETING MAY SEND THEIR REQUEST
TO MR. NEERAJ KUMAR, ACM TO MOB. NO. 9953741920 IN ADVANCE THROUGH SMS OR WHATS APP
ONLY IN THE FOLLOWING FORMAT:-

1. DATE OF HEARING
2. ITEM NO.
3. CASE NO.
4. CASE TITLE
5. JOINING FROM WHICH SIDE
6. MAIL ID.

CLICK HERE TO JOIN VC

<https://delhihighcourt.webex.com/meet/dhcecourtvc7>

THE FOLLOWING MATTER SHALL BE TAKEN UP AT 2:30PM

(For 24, Jun, 2021)

FRESH MATTERS & APPLICATIONS

1. W.P. (C) 5960/2021
CM APPL. 18820/2021

KIRAN KANOJIA
Vs. UNION OF INDIA

PUNAM KUMARI

FOR DIRECTIONS

2. CRL.M.C. 4438/2013 TANMAY KUMAR DR L S CHAUDHARY
 WITH CRL.M.C. 5328/2013 Vs. STATE
 P.S.-FIR No. : (PANDAV NAGAR-174/2004)

ADVOCATE DETAILS FOR ABOVE CASE

3. CRL.M.C. 5328/2013 SUNIL TYAGI AJAYINDER SANGWAN
 WITH CRL.M.C. 4438/2013 Vs. GOVT OF NCT OF DELHI &
 ANR
 P.S.-FIR No. : (AMAR COLONY-27/2013)

ADVOCATE DETAILS FOR ABOVE CASE

PART-HEARD MATTERS

4. FAO 265/2014 UNION OF INDIA A.S.DATEER, RAJESH MAHNA &
 CM APPL. 39547/2019 Vs. MS. KIRAN KANOJIA CO, SHANTWANU SINGH, PUNAM
 WITH FAO 403/2017 KUMARI
 (Disposed-off Case)
 ADVOCATE DETAILS FOR ABOVE CASE
 RAJESH MAHNA & CO() (9810116690) (Petitioner)

5. FAO 403/2017 KIRAN KANOJIA PUNAM KUMARI
 Vs. UNION OF INDIA
 (Disposed-off Case)
 ADVOCATE DETAILS FOR ABOVE CASE

6. FAO 22/2015 GEETA DEVI YOGESH SWAROOP, JOYDEEP
 CM APPL. 4501/2015 Vs. UNION OF INDIA MAZUMDAR, JAGJIT SINGH
 CM APPL. 37835/2019
 CM APPL. 786/2020
 ADVOCATE DETAILS FOR ABOVE CASE
 JAGJIT SINGH() (9810034684) (Petitioner)
 JAGJIT SINGH() (9810034684) (Petitioner)

7. RFA 457/2017 M/S CEMENT CORPORATION OF GAURAV M LIBERHAN
 WITH W.P.(C) 7553/2015 INDIA LTD
 Vs. MOHAN SINGH
 (Disposed-off Case)
 ADVOCATE DETAILS FOR ABOVE CASE

8. W.P.(C) 7553/2015 HAJARA & ORS KARAN BAL & ASSOCIATES
 Vs. GOVERNMENT OF INDIA
 ADVOCATE DETAILS FOR ABOVE CASE

9. W.P.(C) 8092/2016 SANTOSH KUMAR JHA PRABHAKAR
 WITH W.P.(C) 8110/2016 Vs. THE DEPUTY LABOUR
 COMMISSIONER (SOUTH)
 ADVOCATE DETAILS FOR ABOVE CASE

10. W.P.(C) 6726/2019 MASTER LAVISH & ORS S K AHLUWALIA, MANISH VERMA
 CM APPL. 28266/2019 Vs. GOVT OF NCT OF DELHI &
 CM APPL. 47351/2019 ORS
 AT 03:30 P.M.
 ADVOCATE DETAILS FOR ABOVE CASE
 S K AHLUWALIA() (9810167813) (Petitioner)
 S K AHLUWALIA() (9810167813) (Petitioner)

SPECIAL BENCH MATTERS

11. MAC.APP. 548/2018

M/S THE UNITED INDIA
INSURANCE CO LTD
Vs. VIJAY alias CHHOTIYA LAL &
ORS

NAVDEEP SINGH, SANKAR N SINHA

(Disposed-off Case)

ADVOCATE DETAILS FOR ABOVE CASE
NAVDEEP SINGH () (9891246248) (Petitioner)

FOR CONSIDERATION

12. FAO 842/2003

WITH MAC.APP. 494/2016

MAC.APP. 1134/2017

MAC.APP. 422/2009

MAC.APP. 527/2016

MAC.APP. 422/2009

MAC.APP. 527/2016

MAC.APP. 1134/2017

MAC.APP. 494/2016

MAC.APP. 527/2016

(Disposed-off Case)

AT 03:30 P.M.

ADVOCATE DETAILS FOR ABOVE CASE

RAJESH TYAGI & ORS.

Vs. JAIBIR SINGH & ORS.

MUNENDRA KR.SINGH, ATUL

NANDA, NAVNEET KUMAR, SANJAY

YADAV, A.K.SINGH, KAMAL

MEHTA, PRERNA MEHTA, GAUTAM JHA

& SWETA JHA, MANOJ RANJAN

SINHA

ORIGINAL SIDE MATTERSSHORT MATTERS/CASE MANAGEMENT HEARINGS/PRE-TRIAL CONFERENCES/FRAMING OF ISSUES

13. ARB.P. 111/2021

OYO HOTELS AND HOMES PRIVATE SAKET AGARWAL
LIMITED

Vs. BIBEKANANDA PANIGRAHI

FOR DIRECTION AT 02.30 P.M.

14. EX.P. 275/2012

EX.APPL.(OS) 193/2020

EX.APPL.(OS) 279/2021

WITH EX.P. 276/2012

M/S BHANDARI ENGINEERS &
BUILDERS PVT LTD

Vs. M/S MAHARIA RAJ JOINT
VENTURE & ORS

S.S JAUHAR, PRABHJIT

JAUHAR, MANISHA AGRAWAL, AJIT

SHARMA, SANJAY

AGNIHOTRI, MAYANK

AGGARWAL, RAKSHITA GOYAL

15. EX.P. 276/2012

M/S BHANDARI ENGINEERS &
BUILDERS PVT LTD

Vs. M/S YOU ONE MAHARIA (JV)
DELHI & ORS

S.S JAUHAR, AJIT SHARMA, MAYANK

HIGH COURT OF DELHI

23rd JUNE, 2021

//////////

REGISTRAR (LISTING)

Mediation Cause List for 24.06.2021

Parties to Report at the reception counter of Mediation Centre 10 Minutes before the time fixed. Rooms for Mediation will be assigned on assembly of the parties.

S. No.	M&C File No.	Case Name	Parties	Mediator	Time	Mark Your Attendance at
1	65/21	Mediation Petition 65/2021	Prateek Malhotra Vs Ms. Namrata Khanna	Ms. Amita Seghal, Adv/ Mr. Tanu Bakshi Mishra, Co.	1.00pm	Through VC
2	79/21	Mediation Petition 79/2021	DS Vs Master Linque Automation	Mr. Sharanjit Singh Wadhwa, Adv	1.00pm	Through VC
3	421/21	Ex. 05/2019	Nupur Mahajan Vs Vimlesh Kumar (Laxmi Public School) & ors	Mr. Rajiv Aggarwal, Adv/ Ms. Monika Srivastava, Adv/ CO	12.00pm	Through VC
4	162/21	Mediation Petition 162/2021	Mr. Rakesh Mishra Vs. Mr. Suresh Mishra & Ors	Ms. Shobhana Takiar, Adv	2.00PM	Through VC
5	2325/19	FAO 84/2019	Sewa Rama Choudhary & ors. Vs. Herbalife International India P Ltd. & ors.	Mr. Atul Bhuchar, Adv/Mr. Satender Singh Mathur, Adv(CO)	3.00PM	Through VC
6	166/21	OMP (T) (Comm) 57/2020	Ms Etex Health Care Pvt. Ltd. Vs. Ms. Jumbo Distributors & Ors	Ms. Prema Priyadarshni, Adv/ Ms. Tanu Bakshi, CO	3.00pm	Through VC
7	403/21	CS(OS) 14/2021	Mr. Veer Singh Vs. Ms. Kinri Dhir	Mr. Rajeev Aggarwal, Adv.	3.00pm	Through VC
8	40/21	Mediation Petition 40/2021	PTC Vs Cadila Health Care	Mr. Sumit Chander, Adv	3.00pm	Through VC
9	371/20	FAO(OS) (COMM) 37/2020	Mansi Aggarwal Vs. M/S Ruptech Educational India	Ms. Veena Ralli, Adv	4.00pm	Through VC
10	824/20	CS(OS) 2092/2013	Captain Bhupinder Kumar Suri Vs Naresh Kumar Suri & ors	Ms. Zubeda Begum, Adv / Mr. Asim Naeem , (Co),	4.00pm	Through VC
11	23/21	TEST CAS 39/2004	Pradeep Kumar Ghosh Vs State And Ors	Mr. Sunil Mittal, Adv/Ms Monica Shrivastava	4.00pm	Through VC
12	160/21	Mediation Petition 160/2021	Ms. Shubhangi Bhatnagar Vs. Mr. Sumit Srivastava	Ms. Puja Anand, Adv./ Mr. Balvinder Singh Bagha Adv Co	4.00pm	Through VC