

CC No. 483/17

M/s Ritzy Chemicals Pvt. Ltd.

Vs

M/s Shilpi Cables Technologies Ltd. & Ors.

15.03.2018

Present: AR of the complainant with ld. counsel Sh. Raghav Singh.

Sh. Himanshu Anand Gupta, ld. counsel for the all accused.

Once again application for exemption from personal appearance on behalf of accused no. 2 & 3 namely Mukesh Kumar Gupta & Manish Goel have been filed.

Applications are opposed.

I have considered submissions.

On the last date i.e. 20.12.2017, the counsel had appeared for both accused and their applications for exemption from personal appearance were allowed subject to cost of Rs.1000/-. Today, though cost has been paid, but I do not find any genuineness in the applications for exemption of personal appearance of both accused as in the application for exemption from personal appearance of accused Manish Goel, it is stated that he is traveling out of station due to pending court case, however, neither detail of pending case nor date or place, where the accused had to travel has been specified. Similarly, the application for exemption from personal appearance of accused Mukesh Kumar Gupta is on medical ground but no medical record has been filed.

It appears that accused persons want to delay the trial. Hence, the applications for exemptions from personal appearance of both accused are allowed subject to cost of Rs.10,000/- to be paid by each of the accused individually to the complainant on next date of hearing.

The application for stay of proceedings u/s 14(1)(a) of IBC Act has been filed by counsel for accused. However, neither the date of commencement of proceedings has been mentioned in it nor copy of any order has been filed.

Be put up for reply and consideration on **01.06.2018**.

(SUSHANT CHANGOTRA)
ARC/ACJ/CCJ: NEW DELHI
PATIALA HOUSE COURTS/15.03.2018