

57 CC NI ACT 27812/2021

RAKESH KUMAR Vs. RAMESH SINGH /0 (Najafgarh Circle)

Proceedings conducted through Virtual Hearing by using Cisco WebEx Application.

File has been received by way of transfer vide Order No.34881-34902/Cases Tsfr/Dig.138 NI Act)/Judl./DWK/2024 dated 08.11.2024 from the Office of the Ld. Principal District & Sessions Judge (South-West), Dwarka District Courts, New Delhi.

12.12.2024 at 12.50 p.m.

Present: None for the complainant.

Sh. Keshav Hans, Ld. Proxy counsel for the accused alongwith accused.

Today, the matter is fixed for cross-examination of CW-1 at 12.30 p.m.

It is already 12.50 p.m. and none has appeared on behalf of complainant despite specific instructions to the said effect on the last date.

Perusal of record shows that the matter is pending for part cross-examination of CW-1 since 18.05.2024. Since the last two dates, the accused has been seeking adjournments and even today, ld, proxy counsel seeks an adjournment stating that there is a bereavement in the family of main counsel.

Perusal of record also shows that the cost of Rs.2,000/- was imposed on the accused vide order dated 18.05.2024 and further an additional cost of Rs.2,000/- was also imposed vide order dated 02.09.2024. The cost has not been paid till date.

Ld. Proxy counsel submits that the cost shall be deposited before NDOH.

In the light of the fact that the complainant is not present before the court, one more opportunity is being granted for deposit of cost as well as the cross-examination of CW-1. If the cost is not paid on or before NDOH, the same shall be enhanced.

Both the parties are directed to be physically present on the NDOH for recording of evidence. Failure to comply with the same will lead to adverse action against the defaulting party.

Put up for CE on 17.01.2025 at 2.00 p.m.

(Akanksha Singh)
JMFC (NI Act), Digital Court-11
(South-West) District,
Dwarka Courts, New Delhi
12.12.2024

At 1.22 p.m.

Present: Sh. Sunny Rudh Kumar, Ld. Counsel for the complainant
At this stage, Ld. Counsel for the complainant has appeared.
Ld. Counsel submits that he was unaware as to the case being transferred to the court of undersigned and as such, could not appear within time.

Ld. Counsel has been intimated of the proceedings and the date and time fixed in the matter.

Ld. Counsel has provided his contact number i.e. **7820005735** for deposit of pending cost. The same is for intimation to the accused.

Put up for CE on the date and time already fixed i.e. 17.01.2025 at 2.00 p.m.

(Akanksha Singh)
JMFC (NI Act), Digital Court-11
(South-West) District,
Dwarka Courts, New Delhi
12.12.2024