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

+ CRL.M.C. 711/2024

UMESH H.VALECHA

..... Petitioner

Through: Mr.Alok Kumar Pandey,
Mr.Kunal Prakash,
Ms.Muskaan Dewan,
Mr.Shekhar Sharma, Mr.Mohit,
Advs.

versus

THE STATE & ANR.

..... Respondents

Through: Ms.Priyanka Dalal, APP

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **30.01.2024**

CRL.M.A. 2855/2024 (Exemption)

1. Allowed, subject to all just exception.

CRL.M.C. 711/2024 & CRL.M.A. 2854/2024

2. By this petition, the petitioner challenges the order dated 04.05.2023 passed by the learned Special Judge (NI Act) in Complaint Case no.43466/2016, titled ***Punj Lloyd Ltd. v. Valecha Engineering Ltd. & others***, whereby the said Court has been pleased to dismiss the application filed by the petitioner herein seeking permanent exemption from appearing personally in the said Complaint Case.

3. The learned counsel for the petitioner submits that notice in the said Complaint Case has already been framed on the petitioner by the order dated 03.06.2022, and the petitioner has authorised his lawyer to appear before the learned Trial Court and further undertakes that all



acts of his lawyer shall be deemed to be accepted by the petitioner and shall not be disputed only for his absence. He further submits that the petitioner is the permanent resident of Mumbai and finds it difficult to travel to Delhi.

4. Issue notice.

5. Notice is accepted by Ms. Dalal, learned APP, for the respondent no. 1.

6. Notice of this petition be served on the respondent no.2 through all modes, returnable on 23rd July, 2024.

7. Reply, if any, be filed within a period of four weeks from today/receipt of the notice. Rejoinder thereto, if any, be filed within a period four weeks thereafter.

8. In the meantime, the petitioner shall remain exempted from personal appearance in the abovementioned Complaint Case before the learned Trial Court, subject to the condition that all acts done in his absence shall not be disputed by the petitioner.

9. *Dasti.*

NAVIN CHAWLA, J

JANUARY 30, 2024/Arya/am

[Click here to check corrigendum, if any](#)