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

+ CRL.M.C. 3805/2025

DALMIA POLYAMIDE PRIVATE LIMITED & ORS.....Petitioners

Through: Mr. Anshul Sharma & Mr. Aadish
Jain Adv.

versus

SHINE CARBON AND CHEMICALS PVT LTDRespondent

Through: Ms. Ankita Bajpai & Ms. Kholi
Rakuzhuro, Adv.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **27.05.2025**

**CRL.M.A. 16632/2025 EXEMPTION FROM FILING CERTIFIED
COPIES ETC.**

Allowed, subject to just exceptions.

The application stands disposed of.

**CRL.M.C. 3805/2025 & CRL.M.A. 16633/2025 (Calling TCR),
CRL.M.A. 16634/2025 (STAY)**

1. This is a petition under Section 528 of BNSS, 2023 filed on behalf of the petitioner seeking quashing and setting aside of impugned orders dated 07.08.2024 and 24.09.2024 passed by the Ld. JMFC (NI Act)-08, South District, Saket Court, Delhi and all proceedings emanating therefrom.
2. One of the grounds of the petitioner is that no notice has been served to the petitioner for hearing in terms of provisions of Section 223 of BNSS. However, Ld. Counsel appearing for the respondent invites the attention of



the Court to the orders dated 07.08.2024 and 24.09.2024 to submit that the Ld. Trial Court had directed the issuance of notice to the petitioners under Section 223 of the BNSS.

3. In rebuttal, the Ld. Counsel for the petitioner states that despite the order of the Ld. Trial Court, no notice has been served to the petitioner in as much as summons were sent which are Annexed as P13. Matter requires consideration.

4. Issue notice. Notice is accepted by Ld. Counsel appearing for the respondent.

5. Since the matter is listed before the Ld. Trial Court on 29.05.2025, the Ld. Trial Court is requested to defer the proceedings beyond the date fixed by this Court.

6. Re-notify on 17.07.2025.

RAVINDER DUDEJA, J

MAY 27, 2025/GS