

Case No. 2845/2017

Tarunbir Singh Kalra Vs. M/s Unitech Limited And Ors

PS Saket

30.11.2018

Present: Sh. Anil Aggarwal, Id. counsel for the complainant with complainant in person.

Accused no. 2 and 6 are absent.

Accused no. 3 and 4 produced from J/C through video conferencing with Sh. Nikhil Ahuja, Advocate.

Sh. Vipin Payasi, AR on behalf of accused no. 1.

Sh. J.K.Jha, Id. Counsel for accused no. 5, 7 and 8, who have been exempted from personal appearance by Hon'ble High Court.

Sh. Shashwat Jindal, Id. Counsel for accused no. 6.

An application for personal exemption has been filed on behalf of accused no. 2.

Heard. A perusal of the record shows that accused no. 2 has been absenting himself since beginning and he has never appeared before this court. The nature of urgent personal and legal obligations have not been enumerated in order to enable this court to assess the same.

It is contended on behalf of accused no. 2 that accused no. 1 is having project in Mohali and in order to take care of the said

project, he has gone there.

The application does not specify the contentions made on behalf of accused no. 2. Moreover, the contentions made on behalf of accused no. 2 do not justify his absence since beginning. Therefore, there is no merit in the exemption application and the same is accordingly, dismissed.

Accused no 2 is directed to appear before the court from the NDOH onwards, failing which the court will be constrained to take coercive action against him.

Ld. Counsel for accused no. 1 to 4 seeks time to pay prior cost of Rs. 2000/- and seeks an adjournment for cross examination of CW 1 on the ground that the main counsel is busy before the other courts. Previous cost be paid on or before the NDOH.

In view of the submissions made on behalf of accused no. 1 to 4, the request for adjournment is allowed subject to cost of Rs. 5000/- to be paid to the complainant on or before the NDOH.

Re-notify for cross examination of CW 1 on **01.02.2019**.

(Sandeep Garg)
ACMM (South),
New Delhi/30.11.2018