

Sanjeev Narula vs M/S Woodcraft Furnishers on 21 March, 2018

Author: A.K. Pathak

Bench: A.K. Pathak

\$~23-32/34-40

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 4553/2017 & CrI. M.A. no.18171/2017

SANJEEV NARULA Petitioner
Through Mr. Ashish Roheania, Adv.

versus

M/S WOODCRAFT FURNISHERS Respondent
Through Mr. Vikas Nagwan, Adv.

AND

+ CRL.M.C. 4557/2017 & CrI. M.A. no.18183/2017

SANJEEV NARULA Petitioner
Through Mr. Ashish Roheania, Adv.

versus

M/S WOODCRAFT FURNISHERS Respondent
Through Mr. Vikas Nagwan, Adv.

AND

+ CRL.M.C. 4558/2017 & CrI. M.A. no.18185/2017

SANJEEV NARULA Petitioner
Through Mr. Ashish Roheania, Adv.

versus

M/S WOODCRAFT FURNISHERS Respondent
Through Mr. Vikas Nagwan, Adv.

AND

+ CRL.M.C. 4787/2017 & CrI. M.A. nos.19080-81/2017

SANJEEV NARULA Petitioner
Through Mr. Ashish Roheania, Adv.

versus

M/S WOODCRAFT FURNISHERS Respondent
Through Mr. Vikas Nagwan, Adv.

AND

+ CRL.M.C. 4788/2017 & CrL. M.A. nos.19083-84/2017

SANJEEV NARULA Petitioner
Through Mr. Ashish Roheania, Adv.

versus

M/S WOODCRAFT FURNISHERS Respondent
Through Mr. Vikas Nagwan, Adv.

AND

+ CRL.M.C. 4789/2017 & CrL. M.A. nos.19085-86/2017

SANJEEV NARULA Petitioner
Through Mr. Ashish Roheania, Adv.

versus

M/S WOODCRAFT FURNISHERS Respondent
Through Mr. Vikas Nagwan, Adv.

AND

+ CRL.M.C. 4917/2017 & CrL. M.A. no. 19540/2017

SANJEEV NARULA Petitioner
Through Mr. Ashish Roheania, Adv.

versus

M/S WOODCRAFT FURNISHERS Respondent
Through Mr. Vikas Nagwan, Adv.

AND

+ CRL.M.C. 4929/2017 & CrL. M.A. no. 19569/2017

SANJEEV NARULA Petitioner
Through Mr. Ashish Roheania, Adv.

versus

M/S WOODCRAFT FURNISHERS Respondent
Through Mr. Vikas Nagwan, Adv.

AND

+ CRL.M.C. 4930/2017 & CrL. M.A. no. 19572/2017

SANJEEV NARULA Petitioner
Through Mr. Ashish Roheania, Adv.

versus

M/S WOODCRAFT FURNISHERS Respondent
Through Mr. Vikas Nagwan, Adv.

AND

+ CRL.M.C. 4931/2017 & CrL. M.A. no. 19575/2017

SANJEEV NARULA Petitioner
Through Mr. Ashish Roheania, Adv.

versus

M/S WOODCRAFT FURNISHERS Respondent
Through Mr. Vikas Nagwan, Adv.

AND

+ CRL.M.C. 5381/2017 & CrL. M.A. no. 21023/2017

SANJEEV NARULA Petitioner
Through Mr. Ashish Roheania, Adv.

versus

M/S WOODCRAFT FURNISHERS Respondent
Through Mr. Vikas Nagwan, Adv.

AND

+ CRL.M.C. 5382/2017 & CrL. M.A. nos. 21025-26/2017

SANJEEV NARULA Petitioner
Through Mr. Ashish Roheania, Adv.

versus

M/S WOODCRAFT FURNISHERS Respondent
Through Mr. Vikas Nagwan, Adv.

AND

+ CRL.M.C. 5383/2017 & CrL. M.A. no. 21027/2017

SANJEEV NARULA Petitioner
Through Mr. Ashish Roheania, Adv.

versus

M/S WOODCRAFT FURNISHERS Respondent
Through Mr. Vikas Nagwan, Adv.

AND

+ CRL.M.C. 5384/2017 & CrI. M.A. no. 21029/2017

SANJEEV NARULA Petitioner
Through Mr. Ashish Roheania, Adv.

versus

M/S WOODCRAFT FURNISHERS Respondent
Through Mr. Vikas Nagwan, Adv.

AND

+ CRL.M.C. 5385/2017 & CrI. M.A. no. 21031/2017

SANJEEV NARULA Petitioner
Through Mr. Ashish Roheania, Adv.

versus

M/S WOODCRAFT FURNISHERS Respondent
Through Mr. Vikas Nagwan, Adv.

AND

+ CRL.M.C. 5386/2017 & CrI. M.A. no. 21033/2017

SANJEEV NARULA Petitioner
Through Mr. Ashish Roheania, Adv.

versus

M/S WOODCRAFT FURNISHERS Respondent
Through Mr. Vikas Nagwan, Adv.

AND

+ CRL.M.C. 5387/2017 & CrI. M.A. no. 21035/2017

SANJEEV NARULA Petitioner
Through Mr. Ashish Roheania, Adv.

versus

M/S WOODCRAFT FURNISHERS Respondent
Through Mr. Vikas Nagwan, Adv.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK
ORDER

% 21.03.2018 Petitioner assailed the summoning order dated 18th February, 2016 passed by the learned Metropolitan Magistrate, West District, Tis Hazari Courts, Delhi before the Additional Sessions Judge, Delhi by filing a Revision Petition under Section 397 Cr.P.C. There was delay of about 220 days in filing the Revision Petition. An application under Section 5 of the Limitation Act, 1963 ("the Act", for short) was filed by the petitioner. Learned Additional Sessions Judge dismissed the application under Section 5 of the Act. Consequently, Revision Petition was also dismissed as barred by limitation.

Plea taken by the petitioner before the Revisional Court was that counsel representing the petitioner was shifting the office; therefore, it took time for filing the revision. It is concluded that learned counsel remained busy and concerned file escaped his notice. It is contended that endeavour shall be made to dispose of the matter on merits instead of technicalities. Petitioner cannot be made to suffer for the negligence of lawyer.

During the course of hearing, learned counsel for the respondent submits that respondent has no objection in case delay is condoned, subject to costs. Accordingly, without going into the sufficiency of cause furnished by the petitioner for the delay, impugned order is set aside and Revision Petition is remanded back to the learned Additional Sessions Judge/Revisional Court for disposing of the same on merits after affording opportunity of hearing to the learned counsels for the parties, subject to costs of `10,000/- to be paid by the petitioner to respondent.

Parties shall appear before the Revisional Court/Learned Additional Sessions Judge, West District on 17th April, 2018.

All the above petitions are disposed of in the above terms. Miscellaneous applications disposed of as infructuous.

A.K. PATHAK, J.

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