

Ct. case no. 5/19
Mobashar Jawed Akbar v. Priya Ramani

13.10.2020

Present : Ms. Geeta Luthara, Senior Advocate along with Ld. Counsels Sh. Sandeep Kapur, Sh. Vir Sandhu, Sh. Rajat Soni, Ms. Niharika Karanjawala, Ms. Apoorva Pandey, Sh. G.G. Kashyap, Sh. Siddhant Singh and Sh. Vivek Suri for the complainant.

Ld. Counsels Sh. Bhavook Chauhan, Sh. Harsh Bora, Ms. Maulshree Pathak, Ms. Megha Bahl, Ms. Praavita Kashyap and Sh. Nikhil Ahuja for the accused.

The matter is taken up through video conferencing on the request of Ld. Counsels.

In terms of order passed by Hon'ble Supreme Court of India in Writ Petition (Civil). No. 699/2016 titled "Ashwani Kumar Upadhyay v. UOI and Anr", special courts were created for the trial of the cases **against** Member of Parliament/Member of Legislative Assembly. In view of the aforesaid judgment the Hon'ble Court vide circular no. 760-804/DHC/Gaz./G-1/VI.E.2(a)/2018 dated, the 23rd February, 2018 designated the special courts for trial of the cases **against** MP/MLA. As the present matter is not filed against MP/MLA, hence, cannot be tried by this court and needs to be transferred to the Competent Court of Jurisdiction.

Let this matter be put up before the court of Ld. Principal District and Sessions Judge (Rouse Avenue District Courts) for 14.10.2020 at 10.30 AM for further appropriate orders.

Ld. Counsels are directed to join the proceedings through virtual hearing/physical court as the case may be before the court of Ld. Principal District and Sessions Judge on the date and time fixed.

Ahlmad is directed to send complete file to the Court of Ld. Principal District and Sessions Judge, Rouse Avenue Courts by 04.00 PM today.

Earlier date fixed i.e. 15.10.2020 stands cancelled.

[Vishal Pahuja]
ACMM-I/RADC/ND/13.10.2020