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CRM-M-19970-2023

**M/S JINDAL SPECIALITY TEXTILES PVT LTD.
VS
M/S SAR GLOBAL PVT LTD**

Present: Mr. Aalok Jagga, Advocate and
Mr. H.S. Jagdev, Advocate
for the petitioner.

Inter alia contends that the summoning order Annexure P-6 dated 25.03.2021, passed by the JMIC, Bahadurgarh, summoning the petitioner in a complaint under Section 138 of the Negotiable Instruments Act, is not sustainable in the eyes of law inasmuch as the legal notice was served upon the registered members of the Company i.e. registered at Ludhiana and it transpires from the copy of the postal receipt at Annex. P-23 that the legal notice was sent at Himachal Pradesh address and as such according to learned counsel for the petitioner, it is the violation of Section 20 of the Companies Act, 2013. He further submits that the petitioner is even ready to make the requisite payments by way of cheque/demand draft in question just to show the *bona fide*. He has also brought the demand draft pertaining to the cheque in question.

Issue notice of motion to the respondent, returnable for 18.07.2023.

In the meanwhile, the operation of the impugned order dated 29.09.2022 passed by JMIC, Bahadurgarh, shall remain stayed.

**(SANJIV BERRY)
JUDGE**

04.05.2023
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