

Court No. - 85

Case :- APPLICATION U/S 483 No. - 1011 of 2023

Applicant :- Shri Trade International Pvt. Ltd.

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Manoj Kumar Dwivedi

Counsel for Opposite Party :- G.A.

Hon'ble Mayank Kumar Jain,J.

Heard learned counsel for the applicant and learned A.G.A. for the State.

By means of the present application under Section 483 Cr.P.C., the applicant has sought for a suitable direction to the Additional Chief Judicial Magistrate-I, Gorakhpur, to consider and decide Complaint Case No. 248 of 2019 (Shri Trade International Pvt. Ltd. Vs. Khushi Telecom) under Section 138 of N.I. Act, Police Station Kotwali, District Gorakhpur within time stipulated by this Court.

It was submitted by learned counsel for the applicant that applicant has filed a complaint under Section 138 of N.I. Act in the year 2019 but the same has not been decided so far due to which, applicant is suffering irreparable loss. Learned counsel further submits that a direction may be issued to the concerned Court to decide the same within specific time.

No useful purpose would be served in keeping the application pending, which is finally **disposed off** with a direction to Additional Chief Judicial Magistrate-I, Gorakhpur to consider and decide the aforesaid complaint case expeditiously, in accordance with provisions contained in Section 143(2) & 143(3) of Negotiable Instrument Act, subject to full co-operation by the applicant, provided there is no other legal impediment.

Order Date :- 11.12.2023

Mohit