

Court No. - 45

Case :- APPLICATION U/S 483 No. - 1349 of 2023

Applicant :- Smt. Mala Devi

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

Counsel for Applicant :- Manoj Kumar Dwivedi

Counsel for Opposite Party :- G.A.

Hon'ble Vinod Diwakar,J.

1. Heard Shri Manoj Kumar Dwivedi, learned counsel for the applicant and learned A.G.A. for the State.
2. By means of the present application under Section 483 Cr.P.C., the applicants have sought for a suitable direction to the learned Additional Civil Judge, Junior Division (F.T.C.), Gorakhpur to decide the Complaint Case No.3236 of 2019 (Mala Vs. Umesh Chandra Sharma), under Section 138 of Negotiable of Instrument Act, Police Station Chiluwal, District Gorakhpur , within time stipulated by this Court.
3. Learned counsel for the applicants contends that the complaint case, under Section 138 of Negotiable of Instruments Act is pending since 2017 before the Additional Civil Judge, Junior Division (F.T.C.), Gorakhpur. He further submits that the matter has also been referred to the Mediation and Conciliation Centre of this Court but nothing has come out, on such facts, the prayer is made out for expeditious disposal by the trial Court.
4. On perusal of the order-sheet, no plausible reason has transpired for non-appearance of the witnesses.
5. In the light of the fact that the Complaint Case, under Section 138 of Negotiable of Instruments Act is pending since 2017 before the Additional Civil Judge, Junior Division (F.T.C.), Gorakhpur is directed to consider and decide the aforesaid case expeditiously on merits, in accordance with law.
6. With the aforesaid observation, the application is disposed of.

Order Date :- 7.11.2023

RKM