

Court No. - 12

Case :- APPLICATION U/S 482 No. - 10612 of 2023

Applicant :- Mahmood Ahmad Siddiqui

Opposite Party :- The Court Of Addl. Court No. 12 District Lko. And Another

Counsel for Applicant :- Avinash Pandey

Hon'ble Rajeev Singh,J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the material brought on record.
2. This application has been filed seeking direction to the Additional Judge, Court No. 12, Lucknow to decide Complaint No. 1177 of 2014 (Mahmood Ahmad Siddiqui Vs. Abdul Kayyum Khan) within a stipulated period to be fixed by this Court.
3. Learned counsel for the applicant submits that aforesaid complaint case under the provisions of Negotiable Instruments Act is pending since 2014. It is further submitted that earlier an Application u/s 482 No. 1652 of 2020 was also filed for expedite disposal of the said complaint case, which was disposed of vide order dated 06.03.2020 with the direction to the court below to conclude the trial of the case in question within three months from the date of production of a certified copy of the order. It is submitted that the aforesaid order was placed before the court below, but the same has not been complied with. It is vehemently submitted that the case is being listed for cross-examining the witness and after 2nd May, 2022, only adjournments are being taken by the accused persons. It is, thus, submitted that a direction may be issued to the court concerned to conclude the trial within a stipulated period.
4. Learned A.G.A. has no objection to the same.
5. Considering the arguments advanced by the learned counsel for the applicant, learned A.G.A. and going through

the contents of the application as well as other relevant documents, including the order dated 06.03.2020 passed by this Court, it is evident that vide order dated 6th March, 2020, the trial court was directed to conclude the trial within three months from the date of production of the certified copy of the order. It is also evident that the said order was placed before the court concerned, but till today, the trial in question has not been concluded.

6. In view of above facts and circumstances, the present application is disposed of with the direction to the court below to conclude the trial within three months from the date of production of a certified copy of this order. It is also directed that, in case, applicant fails to cross-examine the witnesses in the meantime, then also, appropriate orders shall be passed by the court below.

District & Sessions Judge, Lucknow is directed to monitor the trial of the case in question.

7. Office is directed to communicate this order to the District & Sessions Judge, Lucknow for necessary compliance, forthwith.

Order Date :- 31.10.2023

VKS