

Court No. - 28

Case :- APPLICATION U/S 483 No. - 703 of 2023

Applicant :- Smt. Gaytri Devi

Opposite Party :- State Of U.P Thru. Addil. Chief Secy. Home Civil Sectr. Lko. And Another

Counsel for Applicant :- Durgesh Mishra,Dhananjai Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Shree Prakash Singh,J.

1. Heard Sri Durgesh Mishra, learned counsel for the applicant, Sri Nirmal Kumar Pandey, learned A.G.A. for the State and perused the material on record.

2. Instant application has been filed with the prayer that Hon'ble Court may kindly be pleased to direct Learned Judicial Magistrate, Pratapgarh to decide the complaint Case No. 1236 of 2019; (Smt. Gaytri Devi Vs. Amit Kumar Mishra) Under Section 138 of Negotiable Instrument Act of Police Station Patti, District Pratapgarh, within any stipulated period of time, in the interest of Justice.

3. Learned counsel for the applicant submits that Case No. 1236 of 2019 under Section 138 of N.I. Act was filed in the Court of Judicial Magistrate, Pratapgarh and that is pending consideration. He added that there is a specific provision under Section 143 (3) of the Negotiable Instruments Act, 1881 that after filing of the complaint under this Act, the trial court has to make all endeavour to conclude the proceedings as expeditiously as possible, preferably within a period of six months from the date of filing of the complaint. Thus, he submits that the trial court may be directed to conclude the proceedings of the aforementioned complaint case within stipulated period of time as may be fixed by this Court.

4. Learned A.G.A. for the State and learned counsel for the opposite party no. 2, have no objection to the submissions aforesaid.

5. In view of the aforesaid submissions and innocuous prayer made in the application, the trial court is hereby directed to conclude the trial of aforementioned Complaint Case with expedition, preferably within a period of six months from the

date of the production of certified copy of this order, in accordance with law.

6. With the aforesaid observations, instant application stands **disposed of** accordingly.

Order Date :- 2.11.2023

Mayank