

Court No. - 12

Case :- APPLICATION U/S 482 No. - 11825 of 2023

Applicant :- Neelam Devi

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Home Govt. Civil Sectt. Lko And Another

Counsel for Applicant :- Shesh Mani Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh,J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.
2. Present application has been moved by the applicant for quashing the order dated 17.08.2023 passed by the Presiding Officer, Additional Court No.02, Lucknow in Complaint Case No.64660 of 2023 under Section 138 of N.I. Act, P.S. Hazratganj, District- Lucknow.
3. Learned counsel for the applicant submitted that the security cheque was placed before the trial court in violation of the agreement executed between the parties. He further submitted that in the said agreement, it was also mentioned that all the disputes between the parties would be adjudicated at Lucknow, therefore, kind indulgence of this Court is necessary.
4. Learned A.G.A. opposed the prayer of applicant and drew attention of this Court on the para 12 of the aforesaid agreement that according to the undertaking given by the parties, all the disputes between the parties would be adjudicated either at Lucknow or Patna, therefore, there is no illegality in the order passed by the trial court and the present application is liable to be dismissed.
5. Considering the submissions of learned counsel for the parties, going through the contents of application, as well as other relevant documents, the application is **disposed of** with the observation that in case, applicant files any written objection through counsel before the trial court, then the same shall be considered and decided in accordance with law within a period of one month.

Order Date :- 5.12.2023

V. Sinha