

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.1453 of 2016
(Rajendra s/o Mahadeorao Choudhary v. Gajanan s/o Keshavrao Bore and
others)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri A.M. Ghare, Advocate for Petitioner.

Shri Aditya P. Deshpande, Advocate for Respondent Nos.1 and 2.

Coram : R.K. Deshpande, J.

Date : 7th December, 2016

The order rejecting an application for stay of the proceedings of Regular Civil Suit No.81 of 2013 has been rejected by the Trial Court. The stay was claimed on the ground that some issues are pending in the proceedings under Section 138 of the Negotiable Instruments Act, 1881 before this Court in revision. Undisputedly, the matter is not covered by Section 10 of the Code of Civil Procedure, and even if a decree is passed by the Trial Court, the criminal proceedings can culminate in favour of the petitioner.

No interference is called for.

The petition is dismissed.

Judge.