

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAN] No. 4 of 2018
IN
Contempt Petition No. 171 of 2016
[M/s. Krishna Info. Tech. Vs. Mr. Venkat Sitaram Murty Karri]

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

Court's or Judge's orders

Mr. Abdul Subhan, Adv., for applicant – respondent.
Mr. B. N. Jaipurkar, Adv., for the petitioner.

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CORAM : A. S. CHANDURKAR, J.

DATE : 11th January, 2018

By order dated 5th January, 2018, a non-bailable warrant was issued for securing the presence of respondent as he failed to remain present. Civil Application No. 4 of 2018 has now been moved seeking cancellation of that warrant. It is submitted that the Contempt Petition ought to have been listed on 4th January, 2018 as per earlier orders; but the same was not so listed.

Considering aforesaid reason, the non-bailable warrant issued earlier is recalled. The respondent is present in the Court today.

Application is disposed of.

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Contempt Petition No. 171 of 2016 :

The non-compliance that is alleged is in respect of the amicable settlement between the parties in proceedings under Section 138 of the Negotiable Instruments Act, 1881. A cheque for amount of Rs.1,50,000/- that was issued by the respondent had not been honoured and hence Criminal Complaint came to be filed. As per the settlement, the respondent was to pay to the petitioner a sum of Rs. 1,65,000-00. As per letter dated 7th November, 2013, the amount due and payable on 31st August, 2013 by the respondent is Rs.1,65,000-00. Amount of Rs.82,000-00 [rupees eighty-two thousand only] has since been deposited in this Court. The petitioner is permitted to withdraw that amount. Further time of six weeks is granted to deposit balance amount of Rs. 83,000-00 [rupees eighty-three thousand only] in this Court.

Put up on 21st February, 2018, on which date the respondent shall remain present before this Court.

Judge