

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 989 of 2019

P. Bhagyalata, W/o. Shri Treenath Rao, Aged About 43 Years, R/o. 48/9, Radhika Nagar, Supela, Bhilai, District Durg Chhattisgarh.

---- Petitioner

Versus

P. Ramesh, S/o. Shri P. Chadraiya, Aged about 45 Years, R/o. H. No. 22 / D, W.M.R., Sector-4, Bhilai Nagar, P.S. Bhilai Nagar, District Durg, Chhattisgarh.

-----Respondents

For Petitioner : Mr. Prasoon Agrawal, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

20/12/2019

1. It is submitted by the counsel for the petitioner that the petitioner has presented the proceeding under Section 138 of the Negotiable Instrument Act, before the Court below on 13.06.2016 and till date the proceeding has not come to an end.
2. It is also submitted that the learned trial Court has granted adjournments in the case frequently without assigning any reason so far and the respondent is also finding pretext to prolong the litigation. Therefore, direction be issued for expeditious trial.
3. On perusal of the order sheets of the case, filed along with the petition, it is found that frequent adjournments have been granted by the trial Court without assigning any reason and also without mentioning as to on whose request, the adjournment is being granted. This reflects that

trial Court has itself chosen not to proceed with the case on the given date and granted adjournments, which is not acceptable and further considering that almost more than three years have passed, the case is pending before the learned trial Court, therefore, there appears to be requirement for issuance of direction.

4. Accordingly, the petition is disposed off. The learned trial Court is directed to conduct the trial in the case expeditiously and conclude the same as well as possible preferably within a period of six months.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram