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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 189 OF 2018

Maniklal Jadavchandra Saha and Anr. .. Petitioners
Vs.
Union of India and ors. .. Respondents

None for the petitioners.

Ms. Rouble Sorkkar I/by Ms. Rebecca Gonsalves for respondent
Nos.3 and 4.

CORAM: PRADEEP NANDRAJOG, CJ. &
N. M. JAMDAR, J.

JULY 01, 2019.

P.C.

1. Procedure to be followed while dealing with complaints under Section 138 of the Negotiable Instrument Act, 1881 has been prescribed in the decision reported as (2014) 5 SCC 590 – Indian Bank Association & Ors. vs. Union of India & Ors. In spite of the procedure prescribed, which is being followed all over India, desired result is not being achieved. The reason is large number of such complaints filed and the learned Magistrates unable to cope-up with the burden.

2. Prayer made is to direct Magistrates in the State of Maharashtra to implement afore-noted decision of the Supreme Court. Said decision is being implemented by the Judicial Officers but on account of large number of such complaints filed, delays result. This cannot be helped. No further direction is warranted.

3. The Public Interest Petition is dismissed.

N. M. JAMDAR, J.

CHIEF JUSTICE