

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 128 of 2020

Jaideep Singh Kanda, S/o. Shri Indrajeet Singh Kanda, Aged About 26 Years, Resident of Santrabadi, Near Tarun Talkies, Ward No. 26, House No. 185, Mohan Nagar Durg, Tahsil and District Durg, Chhattisgarh.

---- Petitioner

Versus

Ashok Dubey, S/o. Shri Ramdeen Dubey, Aged About 52 Years, resident of LIG 20/11, Mansarowar Colony Bhilai-3, Police Station Bhilai-3, District Durg, Chhattisgarh.

-----Respondent

For Petitioner : Mr. Vijay Kumar Sahu, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

05/02/2020

1. This petition has not been filed against any order of the Court concerned, however, it is submitted by the counsel for the petitioner that this petition may be disposed off with a direction to the Court concerned for disposal of the case within a time framed.
2. Complaint case No.5812 of 2016 filed under Section 138 of the Negotiable Instrument Act is pending before the trial Court since 13.06.2016. On perusal of the copy of the order sheets, it appears that frequent adjournments have been given by the trial Court for slightest reason, therefore, almost after more than 3 and half years, trial in the case has not been concluded.

3. The learned trial Court has to pay attention to the provisions of Section 143 of the Negotiable Instrument Act, in which there is direction in Sub-section (2) that trial in such case shall, so far as practicable, consistently with the interests of justice, be continued from day to day until its conclusion. Further there is direction in Sub-section (3) that such trial shall be conducted as expeditiously as possible and an endeavour shall be made to conclude the trial within six months from the date of filing of the complaint.
4. Therefore, on this basis, the learned trial Court is directed to conduct the trial expeditiously and conclude the same preferably within a period of six months from the date of this order is communicated.
5. Accordingly, the petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge