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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 3146/2020 & CM APPL. 10943-44/2020

JOGINDER KUMAR SUKHIIJA

....Petitioner

Through: Mr.Joginder Kumar Sukhija,
petitioner in person.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr.Ramesh Babu MR, Adv. for R-2.
Mr.Ajay Digpaul, CGSC for R-1.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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15.05.2020

The matter has been heard through video conferencing.

CM APPL. 10944/2020 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 3146/2020 CM APPL. 10943/2020

1. This petition has been filed by the petitioner praying for the following relief:-

“(a) Directing Respondents to extend the time for issuing notice under section 138 Negotiable Instruments Act and to extend the period of validity of presenting cheque from 3 months to 6 months.”

2. It is the case of the petitioner that the petitioner received three cheques which on presentation, were returned dishonoured on 03.03.2020. Due to the nationwide lockdown declared by the Central Government because of the Covid-19 pandemic, the petitioner could not issue the Statutory Notice as prescribed under Section 138 of the Negotiable Instruments Act, 1881. Relying upon the order dated 06.05.2020 passed by the Supreme Court in *Suo Motu Writ s(Civil) No.*

3/2020 titled *In Re: Cognizance For Extension of Limitation*, the petitioner in-person submits that the period for issuance of Statutory Notice stands extended by the Supreme Court, however, the respondents should also consider granting extension of the period of validity of presenting the cheques from 3 months to 6 months.

3. The learned counsels for the respondents, who appear on advance notice, submit that as the period of limitation stands extended by the above-mentioned order of the Supreme Court, there is no requirement to consider the prayer made in the present petition as far as the petitioner is concerned as his interests are adequately protected.

4. I find merit in the submission made by the learned counsels for the respondents. As the period of limitation already stands extended by the above referred order of the Supreme Court, the petitioner is not prejudiced in the facts of the present case. Therefore, leaving the question raised by the petitioner on extension of validity of the cheques for payment as open to be considered in an appropriate petition, the present petition is disposed of.

NAVIN CHAWLA, J

MAY 15, 2020/rv/sd