

In the matter of:- Maithan Alloys Ltd.

...petitioner

Mr. Sandipan Ganguly

...for the petitioner.

This is an application seeking expeditious disposal of a proceeding under Sections 138 and 141 of the Negotiable Instruments Act.

Learned senior Counsel appearing on behalf of the petitioner submits as follows. The petitioner is the complainant in this case. The complainant had initiated the proceeding as far back as in February, 2020. Cognizance of the offences were taken on 03.02.2020 and process was issued on 05.03.2020. In spite of this, the proceeding has remained pending for no fault of the part of the present petitioner. Long dates are being fixed. In fact on the last occasion, the next date was fixed nearly after six months. Appropriate direction may be passed to conclude the proceeding in terms of Section 143(3) of the Negotiable Instruments Act.

I have heard the submissions of the learned senior Counsel appearing on behalf of the complainant/petitioner and have perused the revision petition.

No prejudice will be caused to anyone, if a direction is passed to expedite the proceeding.

Although there is a stipulation to conclude the proceeding within a particular period of time, it is also true that the Covid-19 pandemic had set in in the meantime. As such, the learned Trial Court could not be faulted for a delay caused in the impugned proceeding.

However, in view of the stipulation contained in Section 143(3) of the Negotiable Instruments Act, I request the learned Trial Court to

conclude the proceeding as expeditiously as possible without granting any unnecessary adjournment to any of the parties and keeping in mind the statutory stipulation for completion of a proceeding under the said Act.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)