

In the matter of:- Sresth Products Pvt. Ltd.

...petitioner

Mr. Pratyush Patwari
...for the petitioner.

Mr. Soumik Sarkar
...for the OP.

This is an application seeking an expeditious disposal of a proceeding under Section 421 of the Code and Section 143A(5) of the Negotiable Instruments Act.

Learned Counsel appearing on behalf of the petitioner submits as follows. The petitioner is the complainant in this case. The complainant filed the present petition of complaint under Section 138 of the Negotiable Instruments Act in 2019. An order was passed thereafter in terms of Section 143A of the Negotiable Instruments Act directing the accused to pay 20% of the cheque amount. However, the interim compensation amount was not paid. The matter got delayed for no fault on the part of the present petitioner. In fact, the petitioner was constrained to file an application under Section 421 of the Code read with Section 143A(5) of the Negotiable Instruments Act for appropriate orders. The same is still pending. The next date of hearing was fixed on 21.03.2022. It is surprising that the date for hearing of such an application would be fixed after nearly four months of filing.

Learned Counsel appearing on behalf of the accused/opposite party submits as follows. After the onset of the Covid 19 pandemic, it has become difficult for the accused/opposite party to comply with such direction. The proceeding is going on in a regular manner and no direction

for an expeditious hearing is required in this case.

I have heard the submissions of the learned counsels appearing on behalf of the parties and have perused the revision petition.

It is quite irregular that an order passed in terms of Section 143A of the Negotiable Instruments Act passed on 18th March, 2021 could not be carried out till date.

There are certain stipulations for an expeditious hearing of applications under the Negotiable Instruments Act.

In view of the above, the learned Trial Court is requested to conclude the main proceeding as expeditiously as possible without granting any unnecessary adjournment to any of the parties and in particular, to dispose of the application filed by the petitioner in terms of Section 143A(5) of the Negotiable Instruments Act read with Section 421 of the Code at the earliest keeping in mind the statutory stipulations regarding early disposal of such application.

With the above 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.)