

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-19783 of 2023 (O&M)
Date of Decision: 17.05.2023.

M/s Almighty Creations

.....Petitioner

Versus

Rajesh Jain and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWALPresent: Mr. Sunpreet Singh, Advocate
for the applicant-petitioner.

VIKRAM AGGARWAL, J. (ORAL)**CRM No.22082 of 2023**

For the reasons mentioned in the application, the same is allowed subject to just exceptions and the interlocutory orders of Appellate Court in compliance of order dated 24.04.2023, passed by this Court, are taken on record.

CRM-M-19783 of 2023

1. Prayer in the present petition is for issuance of a directions to the Court of the Additional Sessions Judge, Ludhiana, to finally decide the appeal arising out of complaint bearing Complaint no. COMA No. 51256/2013 (Annexure P-2), against conviction under Section 138 of the Negotiable Instruments Act, 1881(for short 'N.I. Act'), bearing CRA No. 2979 of 2019, titled as Rajesh Jain Vs. M/s Almighty Creations, pending before the Court for 21.07.2023.

2. Learned counsel for the petitioner submits that on account of non-decision of the appeal, the entire financial cycle pertaining to the petitioner has been disrupted, as a result of which, the petitioner is unable to make payment of

the amount due from him and has further resulted in institution of complaints against him under Section 138 of the N.I. Act.

3. I have gone through the interlocutory orders placed on record by learned counsel for the petitioner.

4. No doubt, more than three and a half years have gone by after the filing of the appeal. However, at the same time, the fact that cannot be lost sight of is that the delay was primarily on the ground of the intervening period of almost two years due to the COVID-19 Pandemic. The interlocutory orders also show that the appeal had been adjourned on many occasions without there being reasonable cause for the same. This Court is conscious of the fact that the District Courts are having a huge pendency of cases. At the same time, the expectation of the litigants *qua* expeditious disposal cannot be termed to be unreasonable.

Without going into the merits of the case, the present petition is disposed of with a direction to the Court of Additional Sessions Judge, Ludhiana, where the CRA No. 2979 of 2019, titled Rajesh Jain Vs. Almighty Creations, is pending to make efforts to dispose of the appeal expeditiously and preferably by giving short dates.

May 17th, 2023
Rekha

(VIKRAM AGGARWAL)
JUDGE

Whether speaking/reasoned : *Yes/No.*
Whether reportable : *Yes/No.*