

29.02.2024
Serial no. 13
[G.S.D]

CRR 4120 of 2023

In the matter of : Shyam Lal Sharma

... .. Petitioner

Mr. Debnath Ganguly
Mr. Aranya Saha
Mr. Supriya Dutta

... for the petitioner

The petitioner has challenged the order dated September 21, 2022 passed by the Id. JM, 5th Court, Alipore in connection with Complaint Case No. 1855 of 2021.

Ld. Advocate appearing on behalf of the petitioner submits that two blank cheques were in possession of the complainant/o.p., who has misused the same. There is an arbitration proceeding, which is pending for determination of the quantum or arbitral award concerned.

Having regard to the issues so canvassed, I am of the opinion that the same is to be considered by the Id. Trial court at the stage of final argument of the case.

However, the petitioner would be at liberty to canvass such points in course of the trial of the proceedings.

With the aforesaid observations, CRR 4120 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)