IN THE HIGH COURT OF ORISSA AT CUTTACK
TRPCRL No.114 of 2025
CNR No. ODHC010910402025

M/s. Epari Gold House, Dolamundai, Cuttack & ors. .... ***Petitioners***

Mr. S.K. Mishra, Sr. Advocate
Along with Ms. P.S. Mohanty, Advocate

-versus-

M/s. Trijal Enterprises Pvt Ltd., Khordha .... ***Opposite Party***

Mr. A. Mohanta, Advocate

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER
30.10.2026

Order No.

06. This matter is taken up through hybrid mode.

2. The present transfer petition has been filed by the Petitioners for transfer of proceeding in 1CC Case No.5856 of 2023, initiated under Section-138 of N.I. Act, 1881, pending before the Court of learned J.M.F.C.(Cog-II), Bhubaneswar to any other Criminal Court in the same Session Division located at Bhubaneswar on the grounds detailed therein.

3. However, on consent, the parties were referred for mediation to resolve their disputes and differences amicably. The mediation report dated 23.09.026 at Flag-M1 indicates that the mediation became successful. The terms and conditions of the settlement are reproduced below:-

"TERMS AND CONDITIONS

1. That the petitioners have filed TRP(CRL) No.114 of 2025 with a prayer for transfer of 1CC case No.5856 of 2023 pending in the court of Ld. JMFC (Cog. II) Bhubaneswar. The Hon'ble Court order dtd.04.08.2026 has been pleased to direct both the parties for mediation of the dispute in between the parties amicable.

2. That both the parties during the course of mediation have been agreed to settle their dispute amicable and signed this settlement as per their free will and sweet consent in presence of their counsels.

3. That both the parties had business transaction (Gold) between them. The petitioners M/s. Epari Gold House, represented through its proprietor Sri Epari Sankar Rao issued bank cheque No.003818 dtd.30.10.2023 for amount Rs. 43,79,703/-of ICICI Bank Cuttack branch to the opposite party M/s.Trijal Enterprises Pvt. Ltd. Bhubaneswar represented by its Managing Director Sri Rajesh Polaki (opposite party No.2) which was deposited by the opposite party in his bank HDFC Bank Bhubaneswar and same was bounced on 01.11.2023 for that the opposite party filed 1CC case No.5856 of 2023 before the JMFC (Cog.II) Bhubaneswar which is pending for adjudication.

4. That, both the parties agreed to settle the above dispute in between them with the agreed total amount of Rs.26,00,000/-(Rupees Twenty Six Lakhs Only) which will be paid by the petitioners M/s. Epari Gold House, represented through its proprietor Sri Epari Sankar Rao to opposite party M/s.Trijal Enterprises Pvt. Ltd. Bhubaneswar represented by its Managing Director Sri Rajesh Polaki with five installment.

5. The installments will be as per the followings:-

i. on or before 22.10.2026 with amount of Rs.4,50,000/-,

ii. on or before 11.11.2026 with an amount of Rs.9,00,000/-

iii. on or before 22.12.2026 with an amount of Rs.4,50,000/-,

iv. on or before 22.01.2027 with an amount of Rs.4,50,000/-,
v. on or before 22.02.2027 with an amount of Rs.3,50,000/-

All total five installment and total payment is Rs.26,00,000/-will be paid by the petitioner to the opposite party by mode of NEFT/DD to the opposite party account No.50200057178816, IFSC Code HDFC0000630, HDFC Bank, Bhubaneswar. After payment of above amounts the opposite parties will never claim further amount with regard to above cheque amount.

6. ***That, both the parties agreed to abide the above terms and conditions and after due compliance by the parties, all the pending cases between them will be withdrawn/disposed of accordingly****."*

(Emphasis supplied)

4. Accordingly, the transfer petition stands disposed of.

5. Interim order dated 19.12.2025 passed in I.A. No.118 of 2025 stands vacated.

6. I.A. No.118 of 2025 also stands disposed of accordingly.

7. Urgent certified copy of this order be granted on proper application as per rules.

(S.K. MISHRA)
JUDGE

Banita

Signature Not Verified
Digitally Signed
Signed by: BANITA PRIYADARSHINI PALEI
Designation: SR. STENOGRAPHER
Reason: AUTHENTICATION
Location: OHC, CUTTACK
Date: 31-Oct-2026 14:50:29