SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			C528/1877/2026 Naveen Kumar --Applicant **Versus** Neelima Dass --Respondent **Hon'ble Rakesh Thapliyal, J.** 1. Mr. Ravindra S Rawat, learned counsel for the applicant. 2. By the instant application, preferred under Section 528/529 of BNSS, 2023, the applicant is praying for expeditious disposal of Case No. 786 of 2024 titled as 'Naveen Kumar vs. Neelima Dass' under section 138 of Negotiable Instruments Act, 1881 (hereinafter referred to as the 'N.I. Act') pending in the court of learned Judicial Magistrate, Pauri Garhwal within a stipulated time. 3. Learned counsel for the applicant submits that present applicant filed a Case No. 786 of 2024 titled as 'Naveen Kumar vs. Neelima Dass' under Section 138 of the NI Act against respondent on 20.11.2024 and respondent was summoned by the court several times but he did not turn up, the counsel of the respondent was also not present even after revise call. 4. Learned counsel for the applicant submits that he has initiated the proceeding under Section 138 N.I. Act in the year of 2024, but respondent is not appearing before the court and he is adopting a delay tactics. 5. Learned counsel for the applicant placed reliance on Section 143(3) of the N.I. Act, which reads as under:- ***"143. Power of Court to try cases summarily. –*** *(1) …*

(2) …

(3) Every trial under this section shall be conducted as expeditiously as possible and an endeavour shall be made to conclude the trial within six months from the date of filing of the complaint."

6. As it appears from Section 143 (3) of the N.I. Act, every trial shall be concluded as expeditiously as possible and an endeavour shall be made to conclude the trial within six months from the date of filing of the complaint, whereas in this case, the case was filed in the year 2024 and the order-sheet of the said case reveals that on a number of dates the case was listed, but for some reason or the other, it has been adjourned and has not been decided as yet, and no attempts are being made for expediting this proceeding. This is certainly against the mandate of Section 143(3) of the N.I. Act. Therefore, I direct the Court concerned to expedite the proceeding of Case No. 786 of 2024 titled as 'Naveen Kumar vs. Neelima Dass' under Section 138 of the Negotiable Instruments Act, 1881, as early as possible after taking into consideration the mandate of Section 143 (3) of the N.I. Act and the same be concluded positively within a period of nine months from the date of production of certified copy of this order.

7. In view of this, the present C-528/529 petition is disposed of.

(Rakesh Thapliyal, J.)
24.08.2026

PR
