

Complainant filed this present application u/s 302 of CR.P.C to permit the applicant Sri.Sandeep Balachadra Nagekar, the manager to continue to conduct the case further.

Learned counsel for complainant filed vakalath of present manager, and produced documents with memo. Counsel for complainant, submits that the earlier manager has been transferred to other place, and Sri.Sandeep Balachandra Nagekar has taken charge of the same, hence the complainant wants to examined the aforesaid manager, hence prays to allow the application.

The application is opposed by counsel for accused by filing written objections contending that, the applicant manger was not working at the time of alleged transaction, hence he has not personal knowledge about the transaction. Already it is proved that the complainant has filed false complainant against the accused, hence the complainant has changed its manger, if the application is allowed hardship caused to the accused, hence prays to reject the application.

Heard, both respective counsels.

The complainant society filed present case against the accused for the offence punishable U/s 138 of N.I Act. The manager of the complainant society who lead evidence, has got transferred and the applicant manager has taken the charge of said post. Hence if the application is not allowed and the said new manager not permitted to proceed with the case, they cannot prove their case, if the application is allowed no hardship caused to the accused. Hence the complainant made out grounds to proceed with the case, hence this court proceed to pass the following:

ORDER

Application filed by the complainant u/s 302 of Cr.P.C is hereby allowed.

Senior Civil Judge & Prl. JMFC.,
Kumta.