

**Crystal RMC through Partner Mahesh Mohan Masal.
Vs
Sudhir Kondiba Bankar Proprietor United Constructions.**

Order Below Exh.1

The accused has preferred to file an application to set aside order to proceed without say.

2. Present is a proceeding under Protection of The Negotiable Instruments Act, 1881. It is pertinent to note that the application seeking order under Section 143A of the N.I.Act was uploaded by the complainant on 05.07.2025. Order to proceed without say of the accused was passed on 03.11.2025. It appears that the order was passed even after a period the Civil Procedure Code, 1908 grants for filing of written statement in a civil suit. Considering date of filing of present application, conduct of the accused resulted into delay is apparent. The reason does not appear sufficient. However, it is necessary to hear the accused.

3. While granting opportunity of hearing to the accused, nature of the proceeding and limitation to dispose of cases under Section 138 of the N.I.Act, I am of the opinion that the application shall be allowed on realistic cost. Therefore, I pass order.

ORDER

The application is allowed, order to proceed without say of the respondent is set aside subject to cost of Rs.3,000/-.


18/2/26

Place:-Pune

Y.S. Kawade

Date:-18/02/2026

J.M.F.C., Cantonment Court, Pune