

MHRG140001212026



ORDER BELOW EXH-1

1. The counsel for the complainant filed application at Exh-7 contending that the documents of the present case were presented through the E-filing system. As there was a delay in filing the complaint for the offence punishable under Section 138 of the Negotiable Instruments Act, an application for condonation of delay was filed along with a supporting affidavit.
2. It is submitted that while registering the case, instead of assigning a registration number to the application for delay condonation, the registry inadvertently assigned the registration number to the main case. The counsel for the complainant prays to correct this anomaly as the error occurred entirely due to the E-filing system.
3. I have carefully perused the record. It is evident that this proceeding is filed for an offence punishable under Section 138 of the Negotiable Instruments Act and there was admittedly a delay in

instituting the proceeding. Consequently, an application for condonation of delay was filed.

4. Procedurally, the delay condonation application must be registered, adjudicated, and allowed before the substantive complaint can be registered and cognizance taken. However, instead of registering the proceeding as an application for delay condonation, it was directly registered for the offence under Section 138 of the Negotiable Instruments Act. This is a procedural defect arising out of a technical system error.

5. To ensure proper administration of justice and adherence to procedural mandates, this error warrants immediate rectification. Hence, following order;

ORDER

- I. The application at Exh-7 is hereby allowed.
- II. The Asst. Superintendent of this court is directed to rectify the error and register the proceeding for condonation of delay.

- III. The main case registration shall be kept in abeyance until the disposal of the said delay condonation application.

Uran,
Date – 17.03.2026

(S. P. Wankhade)
Judicial Magistrate F.C., Uran
Court No.1