



Summary Cases/5800220/2022
SUMISHO AGRO INDIA PRIVATE LIMITED Vs.
SUPER CROP SAFE LIMITED

IN THE COURT OF JUDICIAL MAGISTRATE(FIRST CLASS),
58TH COURT, BANDRA, MUMBAI
ORDER BELOW APPLICATION EXH.27

This is the application for an interim compensation filed u/sec.143-A of the Negotiable Instrument Act.

2. The accused objected the application vide detailed reply Exh.32 mainly on the ground of misuse of the cheques issued towards security, non existence of liability etc.

3. Heard advocate Mrs. Vandana Tiwari for the complainant and advocate Mr. Vishwanath Nair for the accused.

4. The transaction in between the parties is not disputed. The same is supported by the document of Agreement dated 18.07.2019. The claim of outstanding amount towards accused is also supported prima facie by the document of purchase order, Sales Contract, Tax Invoice, Ledger Account extract of the complainant.

5. To substantiate or accept the case of misuse of cheques issued towards security, there is nothing on record except bare words. The statutory notice dated 04.02.2022 issued to the accused has not replied by the accused persons. The accused are challenging the entries recorded in ledger account filed by the complainant. The same is part of evidence. At this juncture strong prima facie case is made out by the complainant to invoke the discretionary powers conferred upon this court under section 143-A of the Act. The trial will take its own time for finalizing the rights of the parties. Hence, I pass following order.

ORDER

- 1) The application is allowed.
- 2) Accused are directed to make payment of 20% of cheque amount within 60 days from today to the complainant as an interim compensation.
- 3) Order be uploaded on Court Web Portal for the knowledge of the parties.
- 4) Order dictated and pronounced in open court.

Date : 17.06.2025

(M. P. Saraf)
Judicial Magistrate, First Class,
58th Court, Bandra, Mumbai.
J.O.Code: MH01362

CERTIFICATE

I affirm that the contents of this P.D.F file Order are same, word to word as per the original Order.

Name of Stenographer : Mrs. Aditi Ravikiran Dalvi
Court : Judicial Magistrate (First Class), 58th Court,
Bandra, Mumbai.
Dictated in open court on : 17.06.2025
Transcribed and Typed on : 17.06.2025
Order printed and Signed on : 17.06.2025
Order Uploaded on : 17.06.2025