

**Order dated : 8.3.2022**

Today is fixed for appearance.

Complainant is present. Accused is absent by petition.

Ld. Advocate for the accused prays for time.

Heard. Considered. Prayer for time is allowed.

At this stage Learned Lawyer for the accused persons submitted that the matter can be settled through mediation.

I have traversed the entire gamut of this case and after asking the Ld. Lawyer for both the parties, this court has an impression that there exists a chance of settlement between the complainant and the accused person and the dispute can be diluted by dialogue. Both parties represented by their Ld. Advocates gave their consent to that effect.

This is a case u/sec 138 N.I.Act. Now, as there is chance of settlement and the alleged offences being compoundable in nature, this court has no hesitation to refer the matter for mediation [vide letter no. 1348(19)/SLSA-231/06, dated 16.07.2012]. This view is also in resonance to the observation of the Hon'ble Supreme Court in **Afcons Infrastructure Limited vs Cherian Varkey Construction Company Private Limited (SC)2010(8) SCC24**.

By consent of Ld. Lawyers for both the parties, this court orders that this matter be referred to mediation. Result of mediation should be informed to this court within twelve days from the date of mediation.

Hence, affirming the view of the parties to this case, I am inclined to send this case for mediation. Chairman, SDLSC, Bidhannagar is requested to arrange for mediation of the case on 12.03.2022 as the parties have consented to remain present on that date before the Ld. Mediator. The Ld. Mediator is requested to submit his report before this court on or before 03.05.2022. The parties are directed to appear before the Ld. Mediator on 12.03.2022 at 11:00 am positively. Let a copy of this order along with details of the parties be sent to the Chairman, SDLSC, Bidhannagar for his kind perusal and further order if any. Honorarium of the mediator shall be paid as per notification of the Hon'ble High Court published in the Kolkata Gazette on 21.09.2017 [being No. 3116-G dated 08.09.2017]. Parties be informed.

Fix 03.05.2022 for report from the Mediator and Plea. B.C-II to comply at once.

Signature of the referral Judge with Date

Let a copy of this order be sent to Sub-Divisional Legal Services Committee, Bidhannagar for taking necessary action.

Sign.of complainant

Ph. No./email of Party

Name of the Advocate

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Ph no/e-mail

Sign.of the respondent

Ph. No./email of Party

Name of the Advocate

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Ph no/e-mail