

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2313 of 2022

Suraj Prakash Pattnaik & others Petitioners
Mr. Samvit Mohanty, Advocate
-Versus-

Neelam Pattjoshi Opposite Party
Mr. T.K.Praharaj,SC

CORAM:
JUSTICE R.K.PATTANAİK

ORDER
22.09.2022

Order No.

01.

1. Heard.
2. Admit.
3. Notice to the sole opposite party by registered post with A.D. with an early returnable date and for the said purpose, requisites be filed by the petitioners within next three working days.
5. List this matter on 3rd November, 2022.

(R.K.Pattanaik)
Judge

I.A. No. 1844 of 2022

02.

1. Mr. Mohanty, learned counsel appearing for the petitioners submits that the learned court below appears to have taken cognizance of offence punishable under Section 138 of the N. I.

Act along with Section 420 IPC and therefore, the criminal proceeding as against the petitioner No.2 cannot be sustained. It is further submitted that the learned court below has fixed up the date for appearance of the parties and therefore, as an interim measure, any appropriate order may be passed with regard to petitioner No.2 who is not the person responsible in the issuance of cheque in question.

2. As an interim measure, this Court directs that petitioner No.2 need not appear before the learned court below in connection with I.C.C. No. 51 of 2021 pending before the learned court of S.D.J.M., Bhawanipatna till the next date.

3. An urgent certified copy of this order be issued as per rules.

(R.K.Pattanaik)
Judge