



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><u>C528 No.1343 of 2026</u></p> <p>Nitin Jain --Applicant</p> <p style="text-align: center;">Versus</p> <p>Land Divine Developer Pvt. Ltd. & Another --Respondents</p> <p><u>Hon'ble Rakesh Thapliyal, J.</u></p> <p>Mr. Shivam Rana, learned counsel for the petitioner.</p> <p>By the instant petition, preferred under Section 528 of BNSS, 2023, the applicant is praying for expeditious disposal of the proceeding of Complaint Case No.1229 of 2024, Nitin Jain vs. Land Divine Developer Pvt. Ltd. & Others, pending in the court of Judicial Magistrate (III), Haridwar, which is the proceeding initiated under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter referred to as the 'N.I. Act').</p> <p>4. Learned counsel for the applicant submits that the complaint under Section 138 of the N.I. Act, was preferred on 12.06.2024, and thereafter the learned Judicial Magistrate, Rudrapur took cognizance on the complaint and issued summons. The learned counsel for the applicant further submits that since the date cognizance is taken the respondent-accused is adopting a delaying tactics.</p> <p>5. Learned counsel for the applicant placed reliance on Section 143(3) of the N.I. Act, which reads as under:-</p> <p style="text-align: center;">“143. Power of Court to try cases summarily.-</p> <p style="text-align: center;">(1)...</p> <p style="text-align: center;">(2)....</p> <p style="text-align: center;">(3) Every trial under this section shall</p>



be conducted as expeditiously as possible and an endeavour shall be made to conclude the trial within six months from the date of filing of the complaint.”

6. As it appears from Section 143(3) of the N.I. Act, every trial shall be concluded as expeditiously as possible and an endeavour shall be made to conclude the trial within six months from the date of filing of the complaint, whereas in this case, the complaint was filed in the month of June 2024 and the order-sheet of the said complaint case reveals that on number of dates the case was listed, but for one pretext to another, it has been adjourned and has not been decided as yet, and no attempts are being made for expediting this proceeding. This is certainly against the mandate of Section 143(3) of the N.I. Act. Therefore, I direct the Court concerned to expedite the proceeding of Complaint Case No.5520 of 2022, M/s Purohit Enterprises vs. M/s Kumud Enterprises & another, under Section 138 of the N.I. Act, as early as possible after taking into consideration the mandate of Section 143(3) of the N.I. Act and the same be concluded positively within a period of six months from the date of production of certified copy of this order.

7. In view of this, the present C-528 petition is disposed of.

(Rakesh Thapliyal, J.)

18.06.2026