

Ms. Priyanka Sarkar
...for the petitioners.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners had taken a loan from the complainant/opposite party, which was a finance company. Out of a principal amount of Rs.40 lakhs taken, a payment was made for more than Rs.25 lakhs although a lesser part payment has been admitted in the petition of complaint. This is purely a civil dispute. No prima facie case is made out as would be evident from a plain reading of the petition of complaint and the initial deposition. Any further continuation of the impugned proceeding shall be an abuse of the process of Court.

Let the petitioners serve a copy of this application upon the complainant/opposite party by speed post with acknowledgment due, within a week from this date and file an affidavit of service to that effect on the next date.

List this matter for hearing under the heading 'Contested Application' after five weeks.

The impugned proceeding shall remain stayed for a period of seven weeks.

The parties shall be at liberty to pray for extension or modification or vacating of the interim order upon notice to the other side.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)

