

November 12, 2024
1 (S/L) ARDR

CRR 4753 of 2024

Lakshmanan Muniyandi & ors.
Vs.
The State of West Bengal & anr.

Adv. S. Giritharan,

...for the petitioners.

The petitioners seek quashing of proceedings of C.S. no. 42423 of 2024 pending before the learned Metropolitan Magistrate, 17th Court, Calcutta (presently redesignated as the learned Judicial Magistrate, 17th Court, Calcutta) primarily on the ground that the demand notice was issued by the opposite party beyond the statutory period. Also, only the 3rd petitioner is the signatory to the cheque impugned and not the 1st and the 2nd petitioners. The petitioners have been falsely implicated and the complaint is not maintainable.

It appears from the material on record that the matter needs to be heard on merits.

The petitioners are directed to serve copy of the application along with annexure thereto upon the opposite parties and file affidavit of service on the adjourned date.

Let the matter appear under the heading 'Contested Application' in the monthly list of February, 2025.

Further proceedings of C.S. no. 42423 of 2024 pending before the learned Metropolitan Magistrate, 17th Court, Calcutta (presently redesignated as the learned Judicial Magistrate, 17th Court, Calcutta) be stayed till 28th February, 2025 or until further orders, whichever is earlier.

(Suvra Ghosh, J.)