

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Cr1) No(s).4703-4704/2008

(From the judgement and order dated 02/04/2008 in CRLR No.487/2004,MCRC No.2827/2005 of The HIGH COURT OF M.P AT GWALIOR)

PARAMANAND AGARWAL(DEAD)THROUGH LRS. Petitioner(s)

VERSUS

SURYA AGRO OILS LTD.& ORS. Respondent(s)

(With appln(s) for exemption from filing O.T. and office report)

WITH SLP(Cr1) NO. 4901-4902 of 2008  
(With office report)

Date: 03/08/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN  
HON'BLE MR. JUSTICE SWATANTER KUMAR

For Petitioner(s) Mr. Rajiv Kumar Sinha,Adv.  
Mr. Kumar Prashant,Adv.  
Mr. Abhishek,Adv.  
Mr. Amit Pawan,Adv.(Not present)

For Respondent(s) Mr. Jayant K.Bhushan,Sr.Adv.  
Mr. Manu Beri,Adv.  
Mr. Yash Pal Dhingra,Adv.

UPON hearing counsel the Court made the following  
O R D E R

Learned counsel for the respondent has argued that in view of the reported judgment of this Court in Ameeta Handa vs. M./s. Godfather Travels & Tours Pvt. Ltd. 2012 (4) SCALE 644, the complaint under Section 138 of the Negotiable Instruments Act, 1881 is not maintainable in case the company on whose behalf a cheque has been issued, is not impleaded, therefore, the complaint itself is not maintainable.

Learned counsel for the petitioner(AOR) Mr. Amit Pawan, who is not present in the Court today is required to remain present on the next date of hearing.

List on 6th August, 2012 with a clear stipulation that no further adjournment shall be granted.

(O.P. Sharma)  
Court Master

(M.S. Negi)  
Court Master