(5)

OFFICE OF THE DISTRICT JUDGE, PRAYAGRAJ.

ADMIN. ORDER NO. 727 **Dated : Nov. 14 , 2025**

ORDER

Vide **Hon'ble High Court's Letter No. 687/CF(B)/ 2025 Dt. /Allahabad : November 13, 2025**, it has been communicated that **Hon'ble Committee**, vide its meeting held on **31.10.2025**, has directed the undersigned to ensure compliance of the directions issued by the **Hon'ble Supreme Court** in **Criminal Appeal No. 1755 of 2010 Sanjabij Tari Vs. Kishore S. Borcar & Anr.** for expeditious disposal of cases under section 138 of N.I. Act, 1881. It has further been informed that Hon'ble Committee has been pleased to also suggest the following measure for expeditious disposal of such cases :

(I) The District Judges may hold monthly meetings with all the Presiding Officers of these Courts and Nodal Officers of the Summons Cell to ensure expeditious service of summons.

(II) The cases from Additional Courts may be transferred to the Court of Judicial Magistrates in the Districts with huge pendency of cases under section 138 of N.I. Act, 1881.

(III) If such cases are being sent for mediation, the process of mediation may be completed within the time-frame of 2 months for expeditious disposal of cases.

(IV) The District Judges and Presiding Officers of these Courts shall ensure proper utilization of the Summons Cell present in their District Courts for service of summons to expedite the disposal of cases.

In view of the above directions to circulate the above information amongst all the Presiding Officer(s) of the Additional Courts functioning in your District and also to ensure expeditious disposal of cases under section 138 of N.I. Act, 1881.

II. In compliance of Hon'ble Court's above directions, following order is being passed with immediate effect:

(a) The System Officer is directed to provide a soft/pdf copy of judgement dt. **25.09.2025** passed by the **Hon'ble Supreme Court** in **Criminal Appeal No. 1755 of 2010, Sanjabij Tari Vs. Kishore S. Barcar & Anr.** (*circulated vide letter No. 13170/Admin G-II Dt. 13.10.2025*) along with **Hon'ble High Court's Letter No. 687/CF(B)/ 2025 Dt. /Allahabad : November 13, 2025** to the Presiding Officer(s) of the Additional Courts functioning in the Judgeship for ensuring strict compliance of Hon'ble Court's above directions in letter & spirit.

(b) A hard-copy of copy of judgement dt. **25.09.2025** passed by the **Hon'ble Supreme Court** in **Criminal Appeal No. 1755 of 2010, Sanjabij Tari Vs. Kishore S. Barcar & Anr.** (*circulated vide letter No. 13170/Admin G-II Dt. 13.10.2025*) along with **Hon'ble High**

14-11-2025

Court's Letter No. 687/CF(B)/ 2025 Dt. /Allahabad : November 13, 2025 be circulated among the Presiding Officer(s) of the Additional Courts functioning in the Judgeship for ensuring strict compliance of Hon'ble Court's above directions in letter & spirit.

(c) The Chief Judicial Magistrate Prayagraj is directed to hold monthly meetings with all the Presiding Officers of all courts dealing with the N.I.Act cases and Nodal Officers of the Summons Cell to ensure expeditious service of summons, and intimate the progress of the same to the undersigned.

The Chief Judicial Magistrate Prayagraj is also directed to array the matter in the monthly meeting of Monitoring Cell.

The **Administrative Officer (Sadar Munsarim)** of the Judgeship is directed to add this matter in the agenda of each Monthly-Meeting of all Judicial Officers of the Judgeship for monitoring of the same by the undersigned.

(d) The Officer-in-Charge Statement is directed to collect the data regarding pending N.I.Cases in the Additional Courts and other courts and submit the same before the undersigned within 10 days positively, so that N.I.Act cases be transferred to the Court of Judicial Magistrates of the Judgeship.

(e) All the Judicial Officers of Prayagraj Judgeship, dealing with the **NI Act cases** are hereby directed that if **NI Act cases** are being sent for mediation, the process of mediation may be completed within the time-frame of 2 months for expeditious disposal of cases.

(f) All the Judicial Officers of Prayagraj Judgeship, dealing with the **NI Act cases** are hereby directed to ensure proper utilization of the **Summons Cell** present in the Judgeship for service of summons to expedite the disposal of cases.

III. Any default in this regard shall be viewed severely and stern action may be taken against the delinquent.

Inform all concerned for strict compliance.

14-11-2025

(**Satya Prakash Tripathi**)
District & Sessions Judge
Prayagraj.

Dated : November 14 , 2025

From:

Rajnesh Kumar, H.J.S.,
Registrar(Judicial)(Services),
High Court of Judicature at
Allahabad.

To,

The District Judges,
Agra/ Aligarh/Ayodhya/Bareilly/Bijnor/Gautam Budh Nagar/
Ghaziabad/Gorakhpur/Jhansi/Kanpur Nagar/Lucknow/Mathura/Meerut/
Moradabad/Muzaffarnagar/Prayagraj/Saharanpur/Varanasi.

No. C- 687 **/CF(B)/2025: dated : Allahabad: November** 13 **, 2025.**

Subject:- Suggestions to ensure expeditious disposal of cases u/s 138 of NI Act, 1881.

Madam/Sir,

With reference to the above subject, I am directed to say that the Hon'ble Committee in its meeting dated 31.10.2025 has directed your good self to ensure compliance of the directions issued by the Hon'ble Supreme Court in Criminal Appeal No. 1755 of 2010 Sanjabij Tari Vs Kishore S. Borcar & Anr.for expeditious disposal cases under section 138 of N.I. Act, 1881.

In this connection, I am further directed to say that the Hon'ble Committee has been pleased to also suggest the following measures for expeditious disposal of such cases:-

(I) The District Judges may hold monthly meetings with all the Presiding Officers of these Courts and Nodal Officers of the Summons Cell to ensure expeditious service of summons.

(II) The cases from Additional Courts may be transferred to the Court of Judicial Magistrates in the Districts with huge pendency of cases under section 138 of N.I. Act, 1881.

(III) If such cases are being sent for mediation, the process of mediation may be completed within the time-frame of 2 months for expeditious disposal of cases.

(IV) The District Judges and Presiding Officers of these Courts shall ensure proper utilization of the Summons Cell present in their District Courts for service of summons to expedite the disposal of cases.

I am, therefore, to request you to kindly circulate the above information amongst all the Presiding Officer(s) of the Additional Courts functioning in your District and also to ensure expeditious disposal of cases under section 138 of N.I. Act, 1881.

Yours sincerely,
Rajnesh Kumar
13.11.25
(Rajnesh Kumar)

ITEM NO.1501 COURT NO.12 SECTION II-A

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

Criminal Appeal No. 1755/2010

SANJABIJ TARI **Appellant(s)**

VERSUS

KISHORE S.BORCAR & ANR. **Respondent(s)**

[HEARD BY : HON'BLE MANMOHAN AND HON'BLE N.V. ANJARIA,JJ.]
IA No. 175039/2025 - RECALLING THE COURTS ORDER

Date : 25-09-2025 This matter was called on for pronouncement of judgment today.

For Appellant(s) : Mr. Amarjit Singh Bedi, Adv.
Ms. Surekha Raman, Adv.
Mr. Shreyash Kumar, Adv.
Mr. Harshit Singh, Adv.
Mr. Sidharth Nair, Adv.
M/S. K J John And Co, AOR

For Respondent(s) :Mr. Ankit Yadav, Adv.
Mr. T. Mahipal, AOR
Ms. Gunjan Rathore, Adv.
Ms. Shivangi Gulati, Adv.
Mr. Chaitanya Sonkeria, Adv.
Ms. Aastha Harshwal, Adv.

Mr. Merusagar Samantaray, AOR

1. Hon'ble Mr. Justice Manmohan has pronounced a reportable judgment of a Bench comprising His Lordship and Hon'ble Mr.Justice N.V.Anjaria.

2. Appeal is allowed in terms of signed reportable judgment.

The operative portion of the judgment is as under:

Signature Not Verified
Digitally signed by RAJNI MUKHI
Date: 2025.09.25 18:13:08 IST
Reason:

"40. Keeping in view the aforesaid findings, the appeal is allowed. The impugned order passed by the High Court dated 16th April, 2009 is set aside and the judgment as well as the orders of Trial Court and Sessions Court are restored with a direction to the Respondent No.1-Accused to pay Rs.7,50,000/- (Rupees Seven Lakhs Fifty Thousand)

in 15 (fifteen) equated monthly instalment of Rs.50,000/- (Rupees Fifty Thousand) each. The High Courts and District Courts shall implement the aforesaid guidelines not later than 01st November, 2025. “

3. Pending application(s), if any, shall stand disposed of.

(RAJNI MUKHI)
ASTT. REGISTRAR-cum-PS

(ANU BHALLA)
COURT MASTER (NSH)

(Signed reportable judgment is placed on the file)