

# Usha Yadav vs State Of U.P. And Another on 31 January, 2025

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2025:AHC:14800

Court No. - 82

Case :- APPLICATION U/S 483 No. - 96 of 2025

Applicant :- Usha Yadav

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Manish Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Nalin Kumar Srivastava,J.

1. This application under Section 483 Cr.P.C. has been filed with a prayer to direct the court concerned to decide the trial of Case No. 4888 of 2022, under Section 138 Negotiable Instruments Act, Police Station Dasashwmegh, District Varanasi pending in the Court of Additional Civil Judge (JD) Court No.9/ J.M. Varanasi expeditiously without stipulated period.
2. Heard learned counsel for the applicant as well as learned A.G.A. for the State.
3. It is submitted by the learned counsel for the applicant that the aforesaid case is pending since 2022. It is also submitted that the opposite party no.2 is adopting delaying tactics in disposal of the said case and only dates are being fixed in the matter. He is not cooperating with the trial of the case. Though she has appeared in the matter but her statement has not been recorded so far.
4. Learned AGA opposed the prayer.
5. I have considered the submissions and perused the record.

6. It reveals from the perusal of the order sheets that the aforesaid case is pending since 2022 and the accused / opposite party no.2 has appeared in the matter. It also reveals that part payment is being made regularly by the accused - opposite party no.2 to the applicant in respect of the alleged amount. Hence, the Court concerned is directed to decide the case expeditiously, preferably within a period of six months from the date of production of certified copy of this order before it, if there is no legal impediment. It is further directed that no unnecessary adjournment will be sought/granted.

7. It is also made clear that the Court / Presiding Officer is not the only stake holder in the trial and disposal of a case, hence, besides the P.O. concerned, all the stake holders i.e. police and executive authorities, counsels, parties to the case, staff etc. are also made bound by this order and it will be their responsibility also to assist the Court in every manner for the expeditious disposal of this case.

8. With the above observations, the application stands disposed of.

Order Date :- 31.1.2025 safi