

Karnataka High Court

M.N.Sanjeev S/O Muniyappa Nayak vs Saleem S/O Ladle Mashaq on 4 January, 2010

Author: Jawad Rahim

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Cri.PRNQ::;358{é'Q\$;§ BETWEEN:

M N Sanjeev "

S/O Muniyappa Nayak V

Age: Major" __ 3 " _

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Sr; Srakagh Yeié; Aéxm} __,._ '4-'x\ \. > = . s »x,v.'«uu\u\mmmw«wmWm , in.) This Cri.P. fied
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A_c;id%. 3MFC., Raichur in P.C.Ne.13/2006 in C.C.i\$fp",--4?'2;'2008 dated 9152086 registering
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2;''-ih'T's 'ma'i\$;é'r""H513 been iisted far finai hearing zéqnei é1V:'3;V,'V',7e'&"t:fe€i_:'fé:;\g'L.he
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no we E3

--;»g;§p:»é\$3<~3\$<jj;«~\$ig;"i;_,1Vé□méi' having rm chaise but :5 proceed with the ma:-mr
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the accusation that the petitianer bamtrjowed {Haney from him undertaking to repay demand.
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dishonoured for "Insufféc§e'a,ey..»of '.FL:if1d--s';j'"_:r;{eeesi'V%;atin§;VV issuance af statutvogr n;;:a§é_;% m%cn wasVEa£so not compietecf.

5. The private"free:-pi:aAinY:_ +p:es"e;=aee beyond the period of 30 aa_ys□__'f§'AQn'{'i?;e"'§§'at:e;;"'ihe:g ea use cf action accrued. V W ' ' I 6, Tai<ingj'e..§ai:§-;aVr§i:_a4i<_;;k.:e_"ef"..'a'the amended provision made: Seciafx 'V:42(b) □e?"-the;___{3i1 Act, he f□ed an appiication seekiag» V:Vee{:daVAf:'atfa:h"»pf deiay ef 1? days. Learned ,..n ,3 uu«.44M\ .MV|V!V¥!V□W|N'Qq□»% "[Provided that the cognizance of.-'3.» mmp/aim may be taken by the Ciaurt a:"£"€arj' prescribed peried, if the compiainant s§:3§'i*i§'£é3;~3. 1- V the sear: that he had sufficient { :a_:1.s;;?g?'_ '~fçr \$jc€f making a Compiaim' witfzin :s;;'c:i;~ «,t:§ar.€Qa',;]".' " _ ' 3', From the pi:'?'_a'\$<§o!ogAy- V uVS_ef}v.V_ "§.;§N»..._'441Sé£:tion" 142(:£)(b) is clear tha}: no cr;2.§;1_L:rV{EA>;~::~:"':a:<§,=; cr;aiFd.:bAeV.t;%;ken by a Court unfess such a '4:4Yr:V§:¢."J:'»éi~:r\;;'tE'1§a": cane month on the date on fs;vhic;h" "i'.E." :é": arises under ciause (C) of the N,;.,Act previdedVt1h\§§:i,g;§éAg:y§1éV¥i3_§1g:'§ 3-f 45-'V'?F§'Y;:5§1;::V1fai:2t may be taken by the Ckgur□g':%*;_§çt.r;b--ed Qeriodf if the cempiainant satésfie□i;Lh"e, had sufffsient cause far not maig-'s':g_a <::é=mpV§a'i'En': within such period, This mea□s, the ""':a;ta" gjs?§. v§%'E:i§§h §of€§onaf:io§1 of defay couié be sought is K=.§é:f{Y:9é :ag%%i§-..~ { :agnEza§*:<:e. The gtiage before taE<§§sg Cég---a::;za_r:<.:3nj:--§ a Stage when the acauged weuid 519?: have

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Accarééngly, petition is di\$ p<}\$e:i of. §§§;"%f " Q"

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