

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

4

Petition(s) for Special Leave to Appeal (Crl.) No(s). 10229/201

(Arising out of impugned final judgment and order dated 03/11/2014 in CRR No. 3398/2013 passed by the High Court of Calcutta)

MADHUSUDHAN CHAKRABORTY Petitioner(s)

VERSUS

STATE OF W. B. AND ANR Respondent(s)

(with interim relief and office report)

Date : 23/03/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s) Mr. K. Kumar, Sr. Adv.
Mr. Mahesh Lal Sharma, Adv.
Mr. R.D. Rathore, Adv.
For Dr. Kailash Chand, Adv.

For Respondent(s) Mr. Ranjan Mukherjee, Adv.
Mr. S.C. Ghosh, Adv.

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

We do not find any violation with reference to the understanding reached between the parties while handing over six post dated cheques of Rs.2,25 Lacs each, as per our order dated 3.2.2015. As per our order, the cheques will have to be presented once in three months.

Admittedly, the first cheque presented by the Respondent No.2 stated to have been honoured and he has also encashed the same.

Signature Not Verified

Digitally signed by
Narendra Prasad

Therefore, the next cheque should have been presented three months

Date: 2015.03.24

15:48:10 IST

Reason:

after the presentation of the first cheque. If Respondent No.2 has

1

presented the second cheque before three months, the petitioner cannot be blamed for non-honouring of the second cheque.

Mr. Ranjan Mukherjee, learned counsel for respondent No.2 states that his client will present the subsequent five cheques afresh after three months from the date of presentation of the earlier cheque. Mr. K. Kumar, learned senior counsel appearing for the petitioner also states that in the event of presenting of such cheques, as directed in our order dated 3.2.2015, those cheques

will be duly honoured by the petitioner.

If any violation is caused by not honouring the cheques in spite of respondent No.2 duly observing the above course of action, it is always open for respondent No.2 to seek for appropriate orders.

The special leave petition is disposed of.

(NARENDRA PRASAD)
COURT MASTER

(SHARDA KAPOOR)
COURT MASTER