

Vivek Kumar Srivastava, and Another. Vs. State of U.P. and Others.

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Court : Allahabad

Decided On : Aug-02-2010

Judge : Rajesh Dayal Khare, J.

Acts : Negotiable Instrument Act - Section 138

Appeal No. : APPLICATION U/S 482 No. - 15297 of 2010

Appellant : Vivek Kumar Srivastava, and Another.

Respondent : State of U.P. and Others.

Advocate for Pet/Ap. : S.P.S.Rathore; V.K.Mishra, Advs.

Judgement :

1. Heard learned counsel for the applicants and learned A.G.A. for the State respondent.
2. It is contended by the learned counsel for the applicants that the present matter can be well considered by the Mediation Centre of this Court. It is further contended that the applicants are ready to pay the amount due to opposite party no. 2; therefore, the matter may be referred to the Mediation Centre to re-conciliate between the parties.
3. It is directed that the applicants shall deposit a sum of Rs. 10,000/- within two weeks from today with the Mediation Centre of which 50% shall be paid to the opposite party no.2 for appearance before the Mediation Centre.
4. The matter is remitted to the Mediation Centre with the direction that the same may be decided after giving notices to both the parties.
5. It is directed that the Mediation Centre shall decide the matter expeditiously preferably within a period of three months. Thereafter the case shall be listed before the appropriate Bench on 01.11.2010.
6. Till the next date of listing, further proceedings of case no. 649 of 2006 (Brijendra & others v. Vivek Kumar Srivastava & others), under Section 138 of Negotiable Instrument Act, P.S. - Colonelganj, District-Allahabad, shall be kept in abeyance.
7. After depositing the amount, aforesaid, notice shall be issued to the parties and in case the aforesaid amount is not deposited within the aforesaid period, the interim protection granted above shall automatically be vacated.