



2025:AHC-LKO:50184

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CONTEMPT APPLICATION (CIVIL) No. - 2685 of 2025

Sanjay Kumar Srivastava

.....Applicant(s)

Versus

Mis. Gargi Addl. Civil Judge (Sr.Div.) Acjm,
Ambedkar Nagar

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Niyaj Ahmad
Counsel for Opposite Party(s)	:	

Court No. - 7

HON'BLE JASPREET SINGH, J.

Heard learned counsel for the applicant.

By means of this instant petition preferred under Section 12 of the Contempt of Courts Act, the petitioner alleges violation of the order passed by this Court in a petition under Section 483 Cr.P.C. bearing no. 223 of 2024, whereby, the concerned trial Court was directed to decide the said case under Section 138 of the Negotiable Instruments Act within a period of six months from the date a copy of the order passed by the High Court was placed before the Court.

Having considered the aforesaid averments made in the petition, as well as the directions passed by the Court, it is noticed that the order passed by the High Court was placed before the Court concerned on 20.04.2024 as shall be evident from the extracts of the order-sheet which has been brought on record as Annexure No. 5. The record further indicated that on 24.06.2024 the matter was transferred to another Court and thereafter the notices were issued to the accused. Thereafter, non bailable warrants were issued and the Court also proceeded to initiate proceedings under Sections 82 Cr.P.C. It is evident that the Court is proceeding as per provisions contained in law and even though the proceedings may not have been finally decided within a period of six months as indicated in the order but it cannot be said that there is any willful disobedience on the part of the officer concerned.

It will also be relevant to notice that in the order passed by the High Court dated 02.04.2024 of which alleged violation has been urged by the learned counsel for the petitioner, it would indicate that the Court itself had provided for a caveat in the said order that this time frame should be adhered provided that there is no legal impediment. From the perusal of the order sheet, apparently it cannot be said that there is any deliberate violation on the part of the Court.

Accordingly, at this stage, this Court does not find that there is any wilful disobedience and a case for contempt is made out.

However, the trial Court should ensure conclusion of the proceedings without loosing much time.

Consequently, this petition is **dismissed** with the aforesaid observations.

(Jaspreet Singh,J.)

August 26, 2025
Anurag