

ITEM NO.7

COURT NO.14

SECTION II-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s).2092/2020

(Arising out of impugned final judgment and order dated 13-12-2019
in CRR No.3473/2018 passed by the High Court at Calcutta)

T.S. HASEENA

Petitioner(s)

VERSUS

M/S AXIS BANK LIMITED & ORS.

Respondent(s)

Date : 15-09-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. U.K. Uniyal, Sr.Adv.
Mr. Dinesh K.Garg, Adv.
Mr. Abhishek Garg, Adv.
Mr. Dhananjay Garg, AOR
Mr. Ishaan Tiwari, Adv.
Mr. Chanakya Gupta, Adv.

For Respondent(s) Mr. Devendra Kr. Singh, Adv.
For R.No.1 Mr. Karunakar Mahalik, AOR

Mr. Vivek Gupta, AOR

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

1. Having heard learned Senior counsel appearing on behalf of the petitioner and on carefully perusing the material placed on record, we are not inclined to entertain this petition under Article 136 of the Constitution.

2. The Special Leave Petition is, accordingly, dismissed.

3. We make it clear that the question as to whether the petitioner was a sleeping partner and has not incurred any liability under Section 138 of the Negotiable Instruments Act, 1881 will be determined by the learned trial court on the basis of evidence to be led by the parties.

.....2/-

4. However, taking into consideration the fact that the petitioner is a woman, who is stated to be more than 62 years of age, liberty is granted to her to seek exemption from personal appearance on the non-essential dates and if such an application is filed by her, learned trial court is directed to grant her such exemption subject to the terms and conditions as it may deem appropriate to be imposed upon her.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(PREETHI T.C.)
COURT MASTER (NSH)