

IN THE HON'BLE COURT OF THE CHIEF JUDICIAL MAGISTRATE(CJM)

DISTRICT COURT OF \_\_\_\_.

COMPLAINT No.        OF 2018.

IN THE MATTER OF:

M/s ABC PVT LTD.

.....COMPLAINANT

VERSUS

M/s XYZ

.....ACCUSED

**APPLICATION UNDER SECTION 142 OF THE NEGOTIABLE INSTRUMENTS ACT,1881 READ WITH SECTION 5 OF THE LIMITATION ACT ,1963 SEEKING CONDONATION OF DELAY IN FILING THE AFOREMENTIONED COMPLAINT.**

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MOST RESPECTFULLY SHOWETH:

1. That the Applicant is the Complainant in the above mentioned matter.
2. That the Applicant is filing Complaint U/s 138 of the Negotiable Instruments Act,1881.
3. That the above said Appeal is filed today ie 12/02/2020 thereby causing a delay of Two (2) days from the statutory time period of thirty (30) days that expired on 10/02/2020.
4. That this Complaint was ought to be filed on before 10/02/2020 and which could not be filed since the Authorised Representative of the Complainant Company was not in town.

5. That the Applicant/Complainant herein states that the delay in filing the Complaint is neither intentional nor deliberate and applicant herein deeply regrets the inconvenience caused to this Hon'ble Court.
6. That the Applicant/Complainant will suffer from grave and irreparable injury in case the said delay of Two (2) days is not condoned.
7. That in view of the above submissions the Applicant prays to this Hon'ble Court to condone the delay of Two (2) days in filing the said Complaint.
8. That the present application is bonafide and filed in the interest of justice.

**PRAYER**

In the facts and circumstances of this case, the Hon'ble Court may kindly be pleased to:-

- a) Condone the delay of Two (2) days in filing the Complaint.
- b) Pass such further orders or grant relief that this Hon'ble Court may deem fit and proper under the facts and circumstances of this case.

AND FOR THIS ACT OF KINDNESS THE HUMBLE APPLICANT/COMPLAINANT AS IN DUTY BOUND SHALL EVER PRAY

APPLICANT/COMPLAINANT

THROUGH

**NITINYAYA LAW OFFICES**  
**Advocate(s) for the Appellant/Plaintiff**  
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2. That the accompanying application under section 142 of the negotiable instruments act,1881 read with section 5 of the limitation act ,1963 seeking condonation of delay in filing the aforementioned complaint has been drafted by my counsel under my instructions and the contents of the same have been read over to me in vernacular language and the same may kindly be read as part and parcel of this affidavit which are not being reproduced herein for the sake of brevity.

**DEPONENT**

VERIFICATION:

Verified at Delhi on this 12<sup>th</sup> Day of February, 2020 that the contents of the above affidavit are true and correct to my knowledge and belief.

**DEPONENT**