



Negotiable Instruments Act, 1881 - S. 138 - Loan agreement executed at Hyderabad - Cheque was issued at Hyderabad - Respondent/Complainant Financial institutions have their offices at Hyderabad - Entire cause of action for filing the present complaints under S. 138 has accrued at Hyderabad - Yet the complaint has been submitted before the Court at Calcutta, Jaipur and Gurugram only to harass the petitioners - Stay of further proceedings. [#PLRonline]

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SUPREME COURT OF INDIA

VENAGRO & ORS. - Petitioner(s)

Versus

INCREC FINANCIAL SERVICES LTD (ERSTRWHILE KNOWN AS VISU LEASING FINANCE PRIVATE LIMITED) - Respondent(s)

Transfer Petition(s)(Criminal) No(s).68/2024

(FOR ADMISSION and IA No.19156/2024-EX-PARTE STAY)

WITH

Transfer Petition(s)(Criminal) No(s).66/2024 (II) (Item No. 1619)

(FOR ADMISSION and IA No.17897/2024-EX-PARTE STAY and IA

No.17898/2024-EXEMPTION FROM [filing](#) O.T.)

Transfer Petition(s)(Criminal) No(s).65/2024 (II-B)

(FOR ADMISSION and IA No.17852/2024-EX-PARTE STAY)

WITH

Transfer Petition(s)(Criminal) No(s). 70/2024 (II-B) (Item No.

1621)

FOR ADMISSION and IA No.19854/2024-EX-PARTE STAY)

WITH

T.P.(CrI.) No. 75/2024 (II-B)

(FOR ADMISSION and IA No.20458/2024-EX-PARTE STAY)

T.P.(CrI.) No. 69/2024 (II-B)

(FOR ADMISSION and IA No.19823/2024-EX-PARTE STAY)

WITH

Transfer Petition(s)(Criminal) No(s).64/2024 (II-B)(Item No. 1622)

(FOR ADMISSION and IA No.17786/2024-STAY APPLICATION)

Date : 29-01-2024 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA



Negotiable Instruments Act, 1881 - S. 138 - Loan agreement executed at Hyderabad - Cheque was issued at Hyderabad - Respondent/Complainant Financial institutions have their offices at Hyderabad - Entire cause of action for filing the present complaints under S. 138 has accrued at Hyderabad - Yet the complaint has been submitted before the Court at Calcutta, Jaipur and Gurugram For Petitioner(s) Mr. Vishal Arun, Adv. Mr. Abhinav Krishna Uppaluri, Adv. Mr. Aman Shukla, Adv. Mr. Chandrakanth Reddy, Adv. Mr. Lakkaraju Ashok Kumar, Adv. Ms. Ekta Swarup, Adv. Mr. Sandeep Singh, AOR only to harass the petitioners. Stay of further proceedings. [#PLRonline] Mr. Tadimalla Bhaskar Gowtham, Adv. Mr. P. S. P. Suresh, Adv. Mr. Vishal Arun, Adv. Mr. Abhinav Krishna Uppaluri, Adv. Mr. Aman Shukla, Adv. Mr. M. Chandrakanth Reddy, Adv. Mr. Lakkaraju Ashok Kumar, Adv.

Ms. Ekta Swarup, Adv. Mr. Sandeep Singh, AOR For Respondent(s)

UPON hearing the counsel the Court made the following

ORDER

The learned counsel for the petitioners submits that the subject [loan agreement](#) consequent upon which the cheque was issued by the petitioners, was executed at Hyderabad and the respondents have their offices at Hyderabad. The entire [cause of action](#) for filing the present complaints under [Section 138](#) of the *Negotiable Instruments Act 1881* has accrued at Hyderabad yet the complaint has been submitted before the Court at Calcutta, Jaipur and Gurugram only to harass the petitioners.

Issue notice. Tag with Transfer Petition(Crl.) No.26/2024 In the meantime, there shall be stay of further proceedings in:-

1. CS No.29612 of 2022 titled as "Incred Financial Services Ltd. Vs. Venagro & Ors.", pending before before the Court of 11th Metropolitan Magistrate, Calcutta.
2. Complaint No.8660 of 2022 titled as "Shriram City Union Finance Limited vs. Venagro Nutrifoods Private Limited & Another", pending before the Court of Special Metropolitan Magistrate, N.I. Act No.9, Jaipur, Rajasthan.
3. C.S. No. 18673 of 2022 titled as " Poonawalla Fincorp Limited (formerly known as Magma Fincorp Limited) vs. Venagro Nutrifoods Private Limited & Ors.", pending before the Court of 3 rd Metropolitan Magistrate at Calcutta.
4. C.S. No.108859 of 2022 titled as "Ugro Capital Limited vs. Venagro Nutrifoods Private Limited & Ors.", pending before the 10th Metropolitan Magistrate at Calcutta.
5. C.S. No. 54120 of 2023 titled as "Aditya Birla Finance Limited vs. Venagro & Ors.", pending before the 12th Metropolitan Magistrate at Calcutta.
6. NACT No.32208 of 2022, titled as "M/s Indiabulls Housing Finance Limited vs. Venu Akula", pending before the Court of Judicial Magistrate First Class at Gurugram, Haryana.
7. C.S. No.107813 of 2021 titled as "Poonawalla Fincorp Limited vs. Venagro Nutrifoods Private Limited & Ors.", pending before the Court of 8rd Metropolitan Magistrate at Calcutta.

Tags: [NIA S. 138](#)