

Para24. Let me give an example to understand the jurisdiction according to the amendment: “(1) ‘A’ holds an account with the Navrangpura Branch, Ahmedabad, of ‘XYZ’ Bank, issues a cheque payable at par in favour of ‘B’. ‘B’ holds an account with the M.S. University Road Branch, Vadodara, of the ‘PQR’ Bank, deposits the said cheque at the Surat Branch of the ‘PQR’ Bank and the cheque is dishonoured. The complaint will have to be filed before the Court having the local jurisdiction where the M.S. University Road Branch, Vadodara, of the ‘PQR’ Bank is situated. (2) ‘A’ holds an account with the Navrangpura Branch, Ahmedabad, of ‘XYZ’ Bank, issues a cheque payable at par in favour of ‘B’. ‘B’ presents the said cheque at the Vadodara Branch of the ‘XYZ’ Bank (but ‘B’ does not hold account in any branch of the ‘XYZ’ Bank) and the cheque is dishonoured. The complaint will have to be filed before the Court having the local jurisdiction where the Navrangpura Branch, Ahmedabad, of the ‘XYZ’ Bank is situated.”

Para25. Therefore, to summarise, first, when the cheque is delivered for collection through an account, the complaint is to be filed before the Court where the branch of the bank is situated, where the payee or the holder in due course maintains his account and, secondly, when the cheque is presented for payment over the counter, the complaint is to be filed before the Court where the drawer maintains his account.

Para26. Secondly, once a complaint for dishonour of the cheque is filed in one particular Court at a particular place, then later on if there is any other cheque of the same party (drawer) which has also dishonoured, then all such subsequent complaints for dishonour of the cheques against the same drawer will also have to be filed in the same Court (even if the person presents them in some bank in some other city or area). This would ensure that the drawer of the cheques is not harassed by filing multiple complaints for dishonour at different places. It necessarily implies that even multiple complaints for dishonour of cheques against the same party can be filed only in one Court even though the cheques might have been presented in different banks at different places.

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