

[SC] NIA S. 138 – Loan availed at P – In order to harass the petitioner, the cheque was presented in the banks Branch at C – Proceedings can not continue at C. [213 PLR~612]

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Negotiable Instruments Act, 1881 (26 of 1881), Section 138 – Code of Criminal Procedure, 1973 (2 of 1974), Section 406 – <u>loan</u> – Facility availed at P – Cheques were also issued on Bank at P – Jurisdictional clause in <u>agreement</u> provide that the Court where the bank has provided loan facility <u>will</u> have a <u>jurisdiction</u> to entertain dispute between the parties i.e P – Cheques presented at C from where the notice was issued – Though the entire <u>cause of action</u> has arisen at P and only in order to harass the petitioner the complaints have been filed at C by manipulating the jurisdiction – Cases transferred from C to P.

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