

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 992 of 2016

- Nandkishore Awadhiya S/o Late Anantram Awadhiya Aged About 61 Years
Occupation Daily Wager R/o Kankalipara, Police Station Azad Chowk,
Raipur, District Raipur, Chhattisgarh.

---- Petitioner

Versus

- Dev Narayan Awadhiya S/o Late Anantram Awadhiya Aged About 56 Years
Occupation Cultivation, R/o Nearby Adharva Printers Awadhiyapara,
Police Station Azad Chowk, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Petitioner : Mr. Govind Dewangan, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

11/11/2016

1. The present Petition under Section 482 Cr.P.C. has been filed seeking for a limited prayer from this Court to issue a direction to the Court below i.e. Judicial Magistrate, First Class, Raipur for an expeditious trial in a complaint Case No. 573/2013.
2. Learned Counsel for the Petitioner submits that the only reason the case is getting delayed is on part of the Hand writing expert who has been ordered to be examined as witnesses as per the order passed by the 5th Additional Sessions Judge in Criminal Revision No. 251/2012 dated 18.09.2012. Learned Counsel for the Petitioner submits that inspite of the repeated efforts and summons being issued the hand writing expert is not entering his appearance before the Court below for recording his evidence.

3. Without entering into the merits of the case it appears that the original suit was filed in the instant case in the year 2002 and the matter as such seems to have been pending in the Court for about 14 years now. Therefore, without commenting anything on merits of the case the present Petition is being disposed of with a direction to the Court below for making all efforts in disposing the complaint case as early as possible.
4. Needless to mention that the Court below shall invoke all the provisions conferred upon the Court under the Cr.P.C. for making the witness present before the Court by issuing bailable warrant if necessary Non-bailable warrant and all efforts be made for expeditious conclusion of the trial.
5. With the aforesaid observation the present petition stands disposed off.

Sd/-

(P. Sam Koshy)
Judge