

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35068 of 2014

Arising Out of PS.Case No. -1550 Year- 2011 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Neelam Chandra W/o Pawan Kumar Patel
2. Pawan Kumar Patel S/o Shri Rangesh Mahto Both Resident of Village Sultan Pur, P.O. and P.S. Rahui, District Nalanda at Biharshariff, Presently residing at C/o Jainandan Prasad, House No. B7, A.G. Colony, P.O. and P.S. Shastri Nagar, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anil Kumar Chakarborty S/o Late Amrit Prasad Singh Resident of Village Paindapur, P.O. Amba, P.S. Rahui, District Nalanda. Presently posted as J.E. (Signal) Central Railway Elctrification Organization, Nawab Yusuf Road, Civil Lines, Allahabad (U.P.).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjai Kumar Singh

For the Opposite Party/s : Mr. Rajendra Pd. Nat (App)

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER**

5 02-08-2017 Heard learned counsel for the petitioner and the State.

No one appears on behalf of the opposite party no.2

despite notice was issued on 28.08.2014.

Counsel for the petitioner submits that petitioner is facing ordeal of this complaint case for the last six years. He submits that dispute is between the four brothers and that apart the case is pending for the last six years without any progress.

Counsel for the petitioners submits that it is one of the cases covered under the guide line of the Apex Court judgment



in the case of *State of Haryana and Others Vs. Bhajan Lal and others reported in 1992 Supp(1) SCC 335.*

The Apex Court in numerous cases laid emphasis on expeditious disposal of cases particularly, criminal cases so that litigant should not suffer ordeal of trial. In the instant case as submitted by the counsel for the petitioner that the complainant is not interested in the conclusion of the case and on one or the other pretext the case is kept pending.

Since no one appears on behalf of the opposite party to assist the court for the ends of justice, the court feels that the petitioner may approach before the court below with a copy of the order of this court for expeditious disposal of the pending case and the court below will try to conclude the proceeding in Complaint Case No. 1550(C) of 2011 expeditiously preferably within a period of six months without granting any unnecessary adjournment.

With the aforesaid observation, the application is disposed of.

(Anil Kumar Upadhyay, J)

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