

Court No. 32

07.12.2020

(DL 35)

(S. Banerjee)

CRR 1712 of 2020

Kunal Finance and Credit Private Limited
Vs.
Vinayak Mica Export Company & Ors.

Mr. Sumit Biswas, Ld. Advocate
Mr. S. Chakraborty, Ld. Advocate
Mr. S. Nayak, Ld. Advocate

... for the petitioner

This is an application for expeditious disposal of a proceeding under Section 138 of the Negotiable Instruments Act.

Learned counsel appearing on behalf of the complainant/petitioner submits as follows. Although the petitioner filed the petition of complaint as far back as in March, 2017, till date the proceeding could not be concluded. The proceeding has remained pending for no fault on the part of the present petitioner. On several dates the accused prayed for adjournments. In fact, warrant of arrest had to be issued for securing attendance of the accused at least on two occasions.

No prejudice will be caused to anyone if a direction of expeditious disposal of a proceeding is given in the present revision.

It appears that the impugned proceeding has remained pending for an unduly long period, especially considering the fact that several dates were fixed for evidence in the meantime.

In view of the above and in the interest of justice, I request the learned trial court to conclude the proceeding as expeditiously as possible without granting any unnecessary adjournments to any of the parties and keeping in mind the

statutory mandate for expeditious disposal as contained in the Negotiable Instruments Act.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)