

17.02.
2022

CRR 443 of 2022
(Via Video Conference)

In the matter of:- Navin Kr. Gupta & Ors.

Mr. Barun Kumar Ray
Mrs. Mita Banerjee
Mr. S. Ghosh

.....for the petitioners

This is an application seeking an expeditious disposal of a proceeding in a Complaint Case under Section 138 of the Negotiable Instruments Act.

Supplementary affidavit filed on behalf of the petitioner is taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the accused in this case. The instant complaint case was registered on 15.02.2016. Thereafter evidence of both the parties were recorded. Written arguments were filed on behalf of the accused on 13.03.2020. A date was fixed for argument on 15.05.2020. However on that date and several subsequent dates the matter could not be taken up for hearing. Either the accused prayed for time or the matter was got adjourned on some other ground. The petitioners never prayed for time. The impugned proceeding has remained pending for no fault of the present petitioners. In view of the above, a direction may be passed to expedite the proceeding.

I have heard submissions of the learned counsels

appearing on behalf of the petitioners and have perused the revision petition.

Regardless of who is responsible for the delay, it is an admitted fact that a case under Section 138 of the Negotiable Instruments Act is pending since February, 2016. Although, evidence was complete and the matter was fixed for arguments, yet the proceeding could not be concluded.

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 adjournment to any of the parties, preferably within a period of four months from the next date of hearing.

With these observations, the revisional application is disposed of

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)