

Court No.
39
Item 58
Ssi

C.R.R. 1314 of 2022

28.04.
2022

In the matter of:- **Bharat Oxytech Pvt. Ltd.**

Mr. Partha Sarathi Das
Mr. Kaushik Biswas

...for the petitioner
Mr. Manab Kumar Gupta
Ms. Moumita Gupta
..for the opposite party no.1

This is an application seeking an expeditious disposal of a proceeding under Sections 138 and 141 of the N.I. Act.

Leave is granted to amend the cause title and delete the name of the opposite party no.2 from the cause title.

Affidavit of service filed on behalf of the petitioner is taken on record.

A Vakalatnama filed on behalf of the opposite party no.1 is also taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner had filed a petition of complaint under Sections 138 and 141 of the N.I. Act in the year 2018. There is a statutory stipulation for an expeditious disposal of a proceeding under Section 138 of the N.I. Act. In spite of this, till date the proceeding could not be concluded. The same

has remained pending for no fault of the present petitioner.

Learned counsel appearing on behalf of the accused-opposite party no.1 submits as follows. There had been occasions on which the complainant had prayed for time. The complainant had also filed an application for addition of a party, which was rejected. The opposite party no.1 is in no way responsible for the delay committed, if at all, for the present proceeding.

I have heard the submissions of the learned counsels appearing on behalf of the parties and have perused the revision petition.

There is an indeed stipulation for an expeditious disposal of a proceeding in a case under Section 138 of the N.I. Act and the present complaint case was filed in the year 2018.

Regardless of whoever may be responsible for protracting the proceeding, the same is required to be concluded at the earliest.

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, keeping in mind the statutory stipulation for an expeditious disposal of the proceeding under the said Act.

With these observations, the revisional application is disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)