

21.02.2022
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SB
Ct. No.39

CRR 2067 of 2021

In the matter of : Harish Kumar Singh

Mr. Samrat Choudhury ... for the petitioner

This is an application seeking an expeditious disposal of a proceeding in a complaint case under Sections 138 and 142 of the Negotiable Instruments Act.

Affidavit of service is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the complainant in this case. He has initiated the present proceeding on 06.03.2019. The opposite party / accused appeared on 26.08.2019 and filed an application under Section 205 of the Code of Criminal Procedure. The application was finally allowed on 12.02.2020. However, despite this the accused was not represented on the subsequent dates. Yet, no coercive action was taken by the learned Magistrate in this regard. The matter has remained pending for no fault on the part of the petitioner.

I have heard the submission of the learned counsel appearing on behalf of the petitioner and have perused the revision petition.

No prejudice will be caused to anyone if a direction is passed to expedite the proceeding.

It is true that in the meantime, Covid -19 pandemic has set in. However, that is not the reason why the matter got adjourned on all dates.

In any event, there is a statutory stipulation regarding an expeditious disposal of a proceeding under Section 138 of the N.I. Act.

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 six 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.)