

19.01.2023

Court No.35
Item No. 54

D.Hira

CRR 1086 of 2015

**Sita Rani Dawn
Vs.
Bhupati Mohan Chanda & Anr.**

Mr. Sankha Subhra Ray.

... for the petitioner

Mr. Ray, learned Advocate appears for the petitioner. His client's prayer is for a direction of this Court for expeditious disposal of C.R. Case No. 584 of 2011 now pending before the Judicial Magistrate, 4th Court at Burdwan.

It is submitted that expeditious disposal of this long pending case is urgently required and necessary directions may be passed. No doubt that in exercise of power under Section 482 of the Code of Criminal Procedure, this Court can pass necessary directions to secure the ends of justice. It appears that the case being C.R. Case No. 584 of 2011 is pending in the Trial Court since 2011 and already a period of eleven (11) years have elapsed from the date of initiation of the said case. The long period of pendency of the case without any reasonable cause as to the same, would be defeating the purposes of fair play and justice.

Accordingly, I concur with the submissions made on behalf of the petitioner that early disposal of this case is necessary. Confidence is strongly reposed on the consideration and conviction of the concerned officer in the Trial Court, regarding necessity of these kind of cases, which are pending for years together, to have some precedence over the more recent ones.

However, I am not unmindful of the fact of the huge number of pending case dockets in the Trial Court which is a common phenomenon in the Courts in West Bengal, the present one being no exception.

Accordingly, I also repose confidence upon the prudent decision of the Court to expedite hearing of the instant case in any manner as he/she finds proper, particularly in view of the long pendency of the same. It is desired that the case should be disposed of within six (6) months period of time from the date of this order unless prevented by genuinely compelling circumstances. However, the Trial Court is free to fix its schedule as regards this long pending old matter for hearing as per its convenience within the said stipulated period of time.

It is desired that in every case of like nature, which are pending for long (to be precise more than ten years) the Court would take similar endeavour for time bound disposal of the same.

With these observations, this case is disposed of.

CRR 1086 of 2015 is allowed.

All pending applications, if any, are consequently disposed of.

Certified website copies of this order, if applied for, be supplied to the parties subject to compliance with all the requisite formalities.

(Rai Chattopadhyay, J.)