

12.09.2023

BP
Sl.84
Court No.33

CRR 3881 of 2011

In the matter of : Ravi Prakash Khemka

Mr. Arjun Samanta
..for the petitioner

The personal appearance of the petitioner was dispensed with on the submission of the learned advocate for the petitioner that the petitioner was suffering from carcinoma.

Learned advocate for the petitioner was further directed to serve notice upon the opposite party No.2 through registered post with acknowledgement due and also to serve notice upon the opposite party No.1/State through the office of the learned Public Prosecutor, High Court, Calcutta and to file affidavit of service on the next date of hearing. The matter was fixed on 11th September, 2023.

Learned advocate for the petitioner has not taken any steps in compliance with the aforesaid order dated 20.07.2023.

The dispute between the parties as revealed from the revisional application concerned filing of a case under Section 138 of the Negotiable Instrument Act being C.R. Case No. 601 of 2006. One complaint

was filed before the Learned Additional Chief Judicial Magistrate, Siliguri, Darjeeling under Section 406/420/506/120B in C.R. Case No. 348 of 2011 whereby a purported amount of Rs. 15,000/- to be paid to the lawyers was in question. The instant revisional application was filed for quashing of the aforesaid proceeding being C.R. Case No. 348 of 2011. There was an initial stay granted by this court for a period of eight weeks which had expired in the year 2014. The report filed by the Judicial Magistrate, 2nd Court, Siliguri, Darjeeling dated 18th July, 2023 stated the next date for filing requisite of warrant of arrest and execution report of warrant of arrest to be on 29.01.2024.

The learned Judicial Magistrate, 2nd Court, Siliguri, Darjeeling is directed to proceed with the trial and dispose of the matter as expeditiously as possible.

The instant revisional application is accordingly disposed of.

(Ananya Bandyopadhyay, J.)

