

D/L397
22.11.2023
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C.R.R.4261 of 2023

In Re: An application for expeditious disposal under Section 483 of the Code of Criminal Procedure;

Smt. Soma Pratihari
Versus
Partha Pratim Pratihari and others

Mr. Suman De
Mr. Abhinaba Mukherjee.
...for the petitioner.

The present revisional application has been preferred for expeditious disposal of AC Case No.5730 of 2015 which is the proceeding under Sections 12/23 of the PWDV Act, 2005 pending before the learned Judicial Magistrate, 5th Court, Alipore, South 24 Parganas.

Records reflect from the last order that dates have been fixed by the learned Magistrate for interim hearing and filing of affidavit of assets and liabilities by the opposite parties.

Having considered the fact that the case was initiated in the year 2015 and more than eight years have passed since the initiation of the case, I direct the learned trial court to dispose of interim hearing on the next date so fixed or within a month thereafter. In case the opposite parties are stretching the time on the ground of filing of affidavit of assets or liabilities, the learned Magistrate will, in the facts of the present case, ignore such affidavit of assets and liabilities and proceed with the interim hearing of the case. All efforts be taken also by the learned Magistrate so far as the main proceedings are concerned and its trial. To that extent,

learned Magistrate would fix at least one date in every month so that the trial of the case can be concluded within a reasonable period of time. However, it is reiterated that the learned Magistrate will not stretch any time so far as the interim hearing is concerned and adhere to the schedule fixed above.

With the aforesaid observations, CRR 4261 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)