

11.5.2023
Sl.15
Ct. No.3
SD

CALCUTTA HIGH COURT
In the Circuit Bench at Jalpaiguri

CRR 112 of 2023

In re: Rehan Alam @ Reham Alam

... petitioner.

Ms. Pratusha Dutta Chowdhury
Ms. Riya Agarwal

... for the petitioner.

Mr. Aditi Shankar Chakraborty
Mr. Ujjwal Luksom

... for the State.

This is an application under Section 482 of the Code of Criminal Procedure seeking expeditious disposal of Misc. Appeal No.7 of 2022 pending before the learned Additional District and Sessions Judge, 1st Court, Darjeeling.

The petitioner contended that due to dilatory tactics adopted by the opposite party, the petitioner is not getting justice from the court below. The petitioner further submits that the present appeal was admitted and the lower court records are called for by the lower appellate court from the trial court vide order dated 20.12.2022. The petitioner accordingly submits that unless and until a direction is passed upon the court below for expeditious disposal of the aforesaid proceeding, the petitioner shall suffer irreparable loss and injury. Accordingly, petitioner has made aforesaid prayer.

Since the prayer made by the petitioner is innocuous and if an order is passed in terms of the prayer made on behalf of the petitioner, the opposite party will have no cause to prejudice, the service of copy of the application as well as notice upon the opposite party is dispensed with.

Considering the urgency of the matter and that the prayer is quite

justified, CRR 112 of 2023 is hereby disposed of with a direction upon the learned Additional District and Sessions Judge, 1st Court, Darjeeling to make every endeavour to dispose of the Misc. Appeal No.7 of 2022 as expeditiously as possible without giving any unnecessary adjournment to either of the parties, preferably within a period of six weeks from the date of communication of this order.

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

(Ajoy Kumar Mukherjee, J.)