

CRR 2458 of 2024

M/s. Ushasree Tea Private Limited
Vs.
The State of West Bengal & anr.

Adv. Mrityunjoy Chatterjee,
Adv. Tusxar Hazra,

... for the petitioner.

Since the innocuous prayer of the petitioner is for expeditious disposal of Criminal Appeal no. 188 of 2019 pending before the learned Additional Sessions Judge, Fast Track 2nd Court, City Sessions Court, Bichar Bhawan, Calcutta, the matter can be disposed of without service of notice upon the opposite parties. The opposite parties shall not be prejudiced by an order for expeditious disposal of the appeal.

The private opposite party was convicted for offences punishable under Section 138 of the Negotiable Instruments Act and sentenced to pay fine of Rs.15,50,000/-, in default to suffer rigorous imprisonment for one year. The private opposite party carried the said judgment in appeal which is pending before the learned Additional District and Sessions Judge, Fast Track 2nd Court, Calcutta. An order passed by the learned appellate Court on 19th September, 2022 directing the private opposite party to deposit Rs.3,10,000/- as interim compensation, has also not been complied with as submitted by the learned counsel for the petitioner.

The appeal is pending before the learned appellate Court since August, 2019 and several dates have been fixed for hearing of the appeal as well as the hearing petition filed by the 2nd respondent therein on 6th December, 2022.

Upon consideration of the material on record, this Court is inclined to hold that the learned Additional District and Sessions Judge, Fast Track 2nd Court, Calcutta be directed to dispose of the appeal as expeditiously as possible without granting any unnecessary adjournment to either of the parties, in accordance with law.

With the aforesaid directions, CRR 2458 of 2024 is disposed of.

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

(Suvra Ghosh, J.)