

06.11.2024  
rc/ct.no.34  
Item No.130

**CRR No. 3493 of 2024**

**In the matter of : Shri J. Sanmukh Rao**

**.....Petitioner**

Mr. P.C.Das  
Ms. Soma Chowdhury

...for the Petitioner

By referring to an order passed by the learned Chief Judicial Magistrate, Paschim Medinipur on January 19, 2024 in UR Case No. 23 of 2012 fixing date of evidence, the petitioner seeks expeditious disposal of the matter. The application can be considered without service of notice upon the opposite parties. The opposite parties shall not be prejudiced by an order directing expeditious disposal of the matter.

Learned counsel for the petitioner submits that he was an employee of the South-Eastern Railway and was charged for an offence under Section 3(a) of the Railway Property (Unlawful Possession) Act. The criminal case being UR Case No. 23 of 2012 is pending. Similarly a disciplinary proceedings on the self-same charges was initiated against the petitioner and charge sheet was issued on February 25, 2021. The petitioner assailed the said charge sheet before the learned Central Administrative Tribunal, Kolkata and by an order passed on November 09, 2021, the Tribunal quashed the charge sheet issued against him. The railway authority assailed the said order before this Court and by

a judgment delivered on December 14, 2022 in WPCT No. 65 of 2022, a Hon'ble Division Bench of this Court affirmed the order of the Tribunal. The charge sheet issued against the petitioner was dropped by the authority by an order passed on June 22, 2023.

Learned counsel for the petitioner submits that the petitioner is being deprived of his retiral benefits due to pendency of the criminal case against him. The petitioner seeks expeditious disposal of the case.

Upon consideration of the facts and circumstances of the case and in view of the fact that the trial is pending since 2012 the learned Trial Court is directed to conclude the trial as expeditiously as possible, preferably within 2 years from the next date of hearing fixed before him without granting any unnecessary adjournment to either of the parties, in accordance with law.

CRR No. 3493 of 2024 is disposed of accordingly.

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

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

**(Suvra Ghosh,J)**