

06.02.2024
Serial no. 220
[G.S.D]

CRR 4757 of 2023

In the matter of : Shyaml Kumar Ghosh @ Shyamal Ghosh

... .. Petitioner

Mr. Muhammad Obaid

... for the petitioner

Mr. Debasis Roy
Mr. Arijit Ganguly

... for the State

Report submitted by the Id. District Judge, Barasat, be kept with the record.

The report was called for by this court to ascertain the case flow system within the jurisdiction of the concerned courts of North 24 Parganas, particularly, the Id. Judicial Magistrate, 1st Court, Barasat.

I find from the records of the case that on 31.12.2019, date was fixed by the Id. JM for the purposes of framing of charges on 31st July, 2021. On 31st July, 2021, date was fixed by the Id. Court for the purpose of framing of charges on 7th of November, 2023. On 7th November, 2023, date has been fixed by the Id. Court on 31st of December, 2025 for the purposes of framing of charges.

The Id. District Judge, Barasat has enclosed a status report which supports the delay of two years or more time

for dates being fixed for the purposes of consideration of charges.

A copy of whole of the report be placed before the Administrative Committee, High Court, Calcutta for consideration of the case flow system within the jurisdiction of the court of the Id. District Judge, Barasat and the Id. CJM, Barasat.

If a litigant approaches a court for justice and dates for consideration of charges are fixed after two and/or two-and-half years, then, there is absolutely no possibility of justice being delivered to the litigants.

A competent judicial officer must have some commitment to the job and will not endorse the view of the court staff for fixing dates.

The Id. Registrar (Judicial), High Court, Calcutta is directed to place whole of the report furnished by the Id. District Judge before the Administrative Committee, High Court, Calcutta for setting out a guideline intimating the Id. District Judge how to operate the day to day functioning of the courts and not to complain regarding the infrastructure.

As a superior court of law, I direct the Id. JM, 1st Court, Barasat to prepone the date so fixed for consideration of charges from 31.12.2025 to 30th September, 2024 and submit a report of compliance before this court through the Id. Registrar (Judicial Service), High Court, Calcutta.

The Id. trial court would henceforth fix a schedule consisting of two dates once in every 45 days so that the trial of the case is taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, CRR 4757 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

Ld. Registrar (Judicial), High Court, Calcutta is directed to take steps informing the Administrative Committee regarding the anxiety expressed by this court and the steps to be taken.

(Tirthankar Ghosh, J.)