

In the matter of:- C.L.C. Tanners Association

...petitioner

Mr. Dipanjan Dutt,
Mr. Khalid Ali.

...for the petitioner.

Let a copy of this application be served upon Mr. Suman Dey who is requested to appear in this case on behalf of the State. His engagement may be regularised in due course.

A copy is served upon Mr. Dey in Court.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner lodged an FIR on 15.04.2015. But, a final report was submitted by the Investigating Agency in March, 2023. Without even giving a day's notice in this regard, the final report was accepted in June, 2023. This was challenged by the petitioner in a revision before this Court. By an order dated 02.01.2024 passed in *CRR 2522 of 2023*, this Court set aside the order of the Magistrate dated 13.06.2023 accepting the final report and granted liberty to the petitioner to file their application under Section 173(8) of the Code within a fortnight. Although the same was done in time i.e. on 15.01.2024 and in terms of the order passed by this Court, till date the protest petition has not even heard by the learned Trial Court. The next date of hearing is on 30.07.2024.

As an application has been made for expeditious disposal of a prayer, no prejudice will be caused to anyone if an order is passed without causing a service of notice upon the private opposite party.

It appears that there is a delay in disposing of the protest petition filed on behalf of the petitioner although the same was filed in time and as per direction passed by this Court, earlier.

In view of the above, the learned Trial Court is directed to decide the protest petition in accordance with law and as expeditiously as possible, preferably on the next date fixed for hearing i.e., on 30.07.2025 or positively within a period of four weeks from such date.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)