

21.07.2025
Court No.28
Item No.393
tbsr

CRR 1778 of 2025

In the matter of: Kamalesh Singha

....Petitioner.

Mr. Debasis Kar
Mr. Husen Mustafi

....for the petitioner

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner filed a case under Section 138 of the Negotiable Instruments Act being C. Case No. 925 of 2023 presently pending before the learned Judicial Magistrate, 2nd Court, Barrackpore, North 24 Parganas. Although the petition of complaint was filed on 07.11.2023, till date the proceeding has not been concluded. Only plea has been taken. The petitioner is a septuagenarian. On several dates, the accused has either remained absent or has prayed for adjournment. The matter has remained pending for no fault of the present petitioner.

No prejudice will be caused to anyone if a direction is passed to expedite the proceeding.

It appears that there is a delay in conducting the proceeding, especially considering the statutory stipulations made regarding expeditious disposal of the proceeding under the Negotiable Instruments Act.

In view of the above and in the interest of justice, the learned trial Court is requested to conclude the proceeding in accordance with law and as expeditiously as possible without granting any unnecessary adjournments to any of the parties and by keeping in mind such statutory stipulations for an expeditious hearing as contained in the Act.

If the Court has remained vacant, the petitioner shall be at liberty to make a representation before the ACJM, Barrackpore to transfer the case to an appropriate Court, which is not lying vacant.

With these observations and directions, 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.)