

16.09.2025
Item No.21
Ct. No. 446
RP

CRR 3760 of 2025

In the matter of : Smt. Sanjukta Neogie

... Petitioner

Mr. Ayan Chakraborty
Ms. Sohini Mukherjee
Ms. Sharmistha Das

....For Petitioner

1. The petitioner has come before this Court seeking expeditious disposal of the application filed by her for interim relief in Complaint Case No.592 of 2023 pending before the Court of the Learned 2nd Judicial Magistrate at Barasat. This matter has taken up without service of notice upon the opposite parties since it relates to expeditious disposal of the case.
2. Learned advocate representing the petitioner submits that the petitioner is suffering a lot as the interim application has not been considered for such a long period and despite having a specific direction from this Court such application has not been taken up for hearing.
3. Heard the submission and perused record. It transpires that vide an order dated 24th February, 2025 a coordinate Bench of this Court directed the learned trial Court to consider and dispose of the application under Section 23 of the 2005 Act within two months from the next date fixed before him after

hearing both the parties and without granting any unnecessary adjournment to either of the parties. Certified copy of the order reveals that the next date was fixed thereafter on 21st May, 2025 when the respondent filed fresh vokalatnama and next date was fixed for hearing in the month of June 2025 when affidavit-of-asset was filed before the Court and both parties were directed to remain present on the next date of hearing i.e. 2nd July, 2025 and on that date resolution was adopted by local Bar Council and the matter was adjourned till 16th July, 2025 when the Court was not there on account of transfer of the Presiding Officer. It is submitted that on the next date so fixed on 8th August, 2025 the matter could not be taken up by the learned Judge-in-Charge as regular Presiding Officer has not been posted.

4. It is an admitted fact that the petitioner has filed the Complaint Case No.592 of 2023 under Sections 12/18/19/20/22 read with Section 23 of the Protection of Women from Domestic Violence Act, 2005 and the learned Court must make an endeavour to hear out the interim application as filed by the petitioner and to arrive at a logical conclusion.
5. However, as no regular Presiding Officer is posted as yet the learned Judge-in-Charge of that Court is

directed to comply with the direction made by a coordinate Bench of this Court in the order dated 24th February, 2025 and consider the nature of prayer made by the petitioner at an earliest preferably on the next date of hearing or soon thereafter without granting any unnecessary adjournment till the regular Presiding Officer is posted. It is further made clear that in the event the Regular Presiding Officer is posted the said officer will comply with the direction.

6. In view of the above, this revisional application is disposed of.
7. Urgent Photostat certified copy of this order, if applied for, be delivered to the learned advocates for the parties, upon compliance of all formalities.

(Chaitali Chatterjee (Das), J.)