

13.01.2025
rc/ct.no.34
Item No.46

CRR No. 5135 of 2024

In the matter of : Ila Mazumder

.....Petitioner

Mr. Moyukh Mukherjee
Ms. Sagnika Banerjee
Ms. Sarmistha Basak

...for the Petitioner

Since the innocuous prayer of the petitioner is for expeditious disposal of the BGR No. 1719 of 2004 pending before the learned Judicial Magistrate, 1st Court, Alipore, South 24 Parganas the matter may be disposed of 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 candidly submits that an application was filed on behalf of the petitioner under Section 242(3) of the Code of Criminal Procedure which was allowed by the learned Trial Court by an order passed on November 02, 2023. By the same order, the learned Trial Court turned down the prayer of the prosecution seeking a direction upon the Branch Manager of Gariahat Branch for production of stridhan property in locker no. 53C, HDFC Bank Limited, Golpark Branch. The defacto complainant/private opposite party assailed the said order before the learned Sessions Judge, South 24-Parganas at Alipore which is pending. The private opposite party has filed further

application on October 28, 2024 seeking inventory/production of articles kept in the same bank locker which is also pending.

In my considered view, pendency of the criminal motion before the learned District Judge or the present application shall not affect the case pending before the learned Trial Court on merits. Since the matter is pending since 2004, the learned Trial Court is directed to take the proceedings to its logical conclusion within six months from the next date of hearing fixed before him without granting any unnecessary adjournment to either party, in accordance with law.

CRR No. 5135 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)