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Ct. No.
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C.R.R. 4227 of 2017
Usha Chaudhury
Vs.
State of West Bengal & Anr.

1. The Office Report submitted by the Assistant Registrar – XII dated 19th December, 2024, has been examined. It is recorded with considerable disappointment that when the instant Revisional Application was called on for final hearing, none appeared on behalf of the Petitioner.
2. This Court notes with severe displeasure that this proceeding, initiated in 2017, has languished on the file for an unconscionable period. The Petitioner's failure to diligently prosecute her own cause, evidenced by this non-appearance and the protracted history, amounts to a dereliction of duty owed to the Court. Such procedural negligence strains the judicial mechanism and defeats the ends of justice by clogging the docket with obsolete matters.
3. Given the egregious age of the matter and the parties' demonstrated lack of earnestness, this Court holds it to be an inescapable judicial imperative that this case be brought to a swift and final conclusion. To permit the indefinite protraction of such proceedings would be to disregard the governing principle that *interest reipublicae ut sit finis litium* (it is in the public interest that there be an end to litigation).
4. Accordingly, and notwithstanding the wilful non-appearance, the matter is taken up for summary disposal based exclusively upon the materials available on the record to ensure that

finality is achieved.

5. The Petitioner invoked the inherent and revisional jurisdiction of this Court seeking the quashing of the order dated 6th November, 2017, passed by the Learned Executive Magistrate, Barrackpore, in M.P. Case No. 4049 of 2017.
6. The impugned order essentially directed the Inspector-in-Charge of the concerned Police Station to enquire and submit a report and ensure that no illegal encroachment occurred on the scheduled property without due legal steps. It is evident from the nature and scope of the directions that the order was passed under the pre-emptory powers vested in the Magistrate by Section 144 of the Code of Criminal Procedure, 1973.
7. The law is settled: the statutory force of any order passed under Section 144 of the Cr.P.C. expires automatically upon the efflux of two months from the date of its making. As the order was passed in November 2017, its legal efficacy ceased to exist many years ago by operation of law.
8. In view of the statutory mandate and the intervening passage of time, the entire proceeding which the Petitioner sought to quash has lost all legal currency. The subject matter of the challenge has vanished.
9. Consequently, the Revisional Application, being CRR 4227 of 2017, is adjudged to have become infructuous and is hereby dismissed.
10. The instant revisional application is accordingly disposed of.

11. The interim order, if any, passed by this Court stands automatically vacated.
12. Urgent photostat certified copy of this Order, if applied for, be supplied to the parties subject to compliance with all requisite legal formalities.

(Uday Kumar, J.)

