

12.5.2026
21.
BD

CRR 1544 of 2026

Smt. Sarmistha Sarkar nee Mullick
Vs.
Arijit Mullick & Ors.

Ms. Aiswarjya Gupta ...for the Petitioner

This is an application wherein petitioner has prayed for expeditious disposal of Misc. Case No. 26 of 2022 under the provisions of Protection of Women from Domestic Violence Act, 2005 presently pending before learned Judicial Magistrate, 1st Class, 3rd Court, Howrah.

Being aggrieved by the inordinate delay in disposal of the said application filed under sections 12/18/19/20/22/23 of the Protection of Women from Domestic Violence Act, 2005, learned counsel for the petitioner submits that the petitioner herein filed the said application under section 12 of the Act, on 13th January, 2022. Since then even the prayer for interim relief made by the petitioner has not yet been heard and disposed of and therefore she prayed for a necessary direction upon the court below for expeditious disposal of the said proceeding.

Having heard learned counsel for the petitioner and that the prayer made by the petitioner is innocuous and if it is allowed in terms of the prayer made therein, the opposite parties will have no cause to prejudice and as such, the service of copy of application upon the opposite parties is hereby dispensed with.

Having considered the submission made on behalf of the petitioner and that the interim relief prayer is pending for disposal for more than four years, I find that the prayer made by the petitioner is justified and is required to be allowed for securing the ends of justice.

In view of the above, the instant application being CRR 1544 of 2026 is hereby disposed of with a direction upon the court below to dispose of the petitioner's application for interim relief filed under section 23 of the Protection of Women from Domestic Violence Act, 2005 within a period of thirty days from the next date of hearing and thereafter to make its best endeavour to conclude the proceeding preferably within a period of six months thereafter. This order is passed invoking this court's jurisdiction under section 529 of the BNS.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)