

24.4.2026
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CRR 1595 of 2026

M/s. Terai Tea Co. Pvt.Ltd.
Vs.
Nirmal Khandelwal

Mr. Ayan Bhattacharya
Mr. Shounak Mondal ...for the Petitioner

In this application petitioner has sought for a further direction upon the court below for expeditious disposal of Complaint Case No. C/20445 of 2007, who in spite of a direction made by this court twice has kept the proceeding pending.

Being aggrieved by the inordinate delay and also alleging specific non compliance of High Court's order, he submits that this High Court while disposing of CRR 4159 of 2013 preferred by the opposite party herein, had directed the trial court to proceed with the trial and conclude the same as expeditiously as possible in terms of section 143 (3) of the Negotiable Instrument Act, 1881.

Thereafter, this petitioner made a prayer before this High Court for expeditious disposal of the case and while disposing CRR 1166 of 2016, this Court vide order dated 06.04.2016 had directed the trial court to dispose of the proceeding within three months from the date of communication of this order. Since then about ten years have already passed but the proceeding is still kept pending for disposal, which is a gross violation of the Court's order

due to lackadaisical attitude on the part of the court concerned.

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

Having considered the facts and circumstances of the case and also considering the mandatory provision laid down in section 143(3) of the Negotiable Instrument Act, for the prescribed time limit by which such proceeding is to be disposed of and also noting gross inaction on the part of court below in early disposal of the case, I find that the prayer made by the petitioner is justified and is required to be allowed for securing the ends of justice.

I am told that the proceeding is fixed for hearing arguments on 6th May, 2026.

In such view of the matter, the instant application being CRR 1595 of 2026 is hereby disposed of with a direction upon the court below to hear arguments on the date fixed i.e., on 6th May, 2026 or within a week thereafter without granting any unnecessary adjournments to either of the parties and to pronounce judgment within a period of thirty days thereafter.

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.)