

21.05.2026

Sl. No.21.

D/L.

Mithun.

Ct.No.29.

CRR/5/2025

Saukat Ali

Vs.

Goutam Chakraborty

Mr. Pronojit Roy

...for the petitioners.

Affidavit-of-service filed by the petitioner is taken on record.

Opposite party is not represented.

In this application the petitioner has prayed for expeditious disposal of C. Case No.2137 of 2019 under Section 138 of Negotiable Instrument Act, presently pending before learned Judicial Magistrate, 2nd Court, Barasat.

Being aggrieved by the inordinate delay in disposal of the said proceeding, learned Counsel for the petitioner submits that the complainant/petitioner filed the said complaint under Section 138 of the N.I. Act on 18th November, 2019. The plea was taken on 3rd March, 2022. Thereafter several dates were fixed for recording of evidence but till date not a single witness could be examined as the opposite party is taking time one after another on the dates fixed by using dilatory tactics. He further submits that due to such indulgence given by the Court below, the matter is being dragged on for last 7 years, though Section 143(3) of the N.I.Act clearly mandates that the Court should take every endeavour for disposal of such proceeding within a specific time limit.

Having considered the submissions made on behalf of the petitioner and that the prayer made by the petitioner is justified, the instant application is required to be allowed to secure the ends of justice.

In view of above, CRR 5 of 2025 is disposed of with a direction upon the Court below to make every endeavour for expeditious disposal of the proceeding being C. Case No.2137 of 2019 pending before learned Judicial Magistrate, 2nd Court, Barasat and to make his best effort to conclude the entire proceeding preferably within a period of six months from the next date of hearing.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Dr. Ajoy Kumar Mukherjee, J.)