

**102C of 2016 (Rgd. No.- 286 of 2016 )**

**Present: Aliviya Bhattacharya,  
J.M. 3<sup>rd</sup> Court, Bishnupur.**

**Order dtd. 15.11.2025**

Today is fixed for mediation report.

Complainant files hazira.

Accused files time petition on the ground stated therein and same is allowed.

Both parties submitted that the matter is not settled before the mediation.

Ld. Advocate for the complainant submitted that the instant case was previously referred for mediation and the matter was also settled and a memorandum of agreement u/s 89 of CPC read with ADR and mediation rules 2006 was drawn up between the parties. However, the accused person failed to meet the terms of the said agreement. Thus, he submitted that this case must be fixed for trial for the better ends of justice.

On scrutinizing the case record it transpired that the memorandum of settlement was indeed drawn up between the parties on 14.09.2017 but the accused failed to meet the terms of settlement and as such the matter was fixed for trial. Position being such, it is the considered view of this court that the trial of the court must be heard expeditiously considering the age of this case and this court ought not wait for the mediation report as the matter is admittedly not settled during the second instance of such referral.

Fix 08-01-2026 for further cross-examination of PW1.

***J.M. 3<sup>rd</sup> Court, Bishnupur  
J.O. Code.-W.B. 01364***