

04.5.2026
92.
BD

CRR 1739 of 2026

Omprakash Saraogi
Vs.
Saurya Prasad Garga

Mr. Satyadeep Sarkar ...for the Petitioner

The petitioner herein has prayed for a direction upon the court below for expeditious disposal of Complaint Case No. CNS/5/2019 presently pending before the learned Judicial Magistrate, 4th Court, Calcutta.

Being aggrieved by the inordinate delay caused in disposal of the said proceeding, learned counsel for the petitioner submits that he is aged about eighty years. The trial of the instant proceeding under section 138 of the N.I. Act, was initiated in the year 2019 and even after completion of seven years it has not yet been completed. Therefore, he prayed for appropriate direction upon the court below.

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 heard learned counsel for the petitioner and that the case is pending for about seven years, I find that the prayer made by the petitioner is justified.

I am told that the next date is fixed on 28th June, 2026 for argument and order.

In view of the above, the instant application being CRR 1738 of 2026 is hereby disposed of with a direction upon the court below to make every endeavour for disposal of the Complaint Case No. CNS/5/2019 presently pending before the learned Judicial Magistrate, 4th Court, Calcutta, within a period of two months from the next date of hearing. 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.)