

16.7.2026

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CRR 2606 of 2026

Aswini Kumar Dey
Vs.
Sumati Dey

Ms. Devapriya Mitra

...for the Petitioner

In this application, the petitioner herein is aggrieved with the inordinate delay caused in disposal of the proceeding initiated by the present opposite party under Section 125 of the Code of Criminal Procedure being M. case no. 88 of 2017, presently pending before the Learned Judicial Magistrate, 1st Court, Barasat.

Being aggrieved by the inordinate delay in disposal of the said proceeding, learned counsel for the petitioner submits that the opposite party filed aforesaid application under Section 125 of the Code on 16.2.2017 and the matter is pending for about ten years but the Trial court has not yet recorded evidence of either of the parties till date and is fixing dates one after another and thereby caused serious prejudice to the petitioner, who is a hapless lady and knocking the door seeking justice. Therefore, she prayed for appropriate direction upon the court below for expeditious disposal of the aforesaid proceeding.

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 dispensed with.

Having considered the submissions made on behalf of the petitioner and that the proceeding seeking maintenance under Section 125 of the Code is pending nearly ten years, I find that the prayer made by the petitioner is justified and required to be allowed to secure the ends of justice.

In view of above, the instant application being CRR 2606 of 2026 is hereby disposed of with a direction upon the court below to make every endeavour for expeditious disposal of the aforesaid proceeding and to make his best effort to conclude the entire proceeding preferably within a period of six months from the next date of hearing.

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

(Dr. Ajoy Kumar Mukherjee, J.)