

WP(C) 83/2009

BEFORE

HON'BLE MR. JUSTICE HN SARMA

Heard Mr. HG Baruah, learned counsel for the petitioner and also Mr. G. Soren, learned Govt. Advocate.

Considering the nature of the case this matter is disposed of at the motion stage itself.

The grievance of the petitioner is that the 2nd party in Misc. case No. 47/06 pending in the Court of Executive Magistrate, Charaideo, Sonari which was initiated u/s. 145/146 Cr.P.C. against him. The learned Magistrate also attached the described land in exercise of power u/s. 146 Cr.P.C.

The grievance of the petitioner is that the matter is pending since 2006 but no effective steps have been taken by the 1st party for early disposal of the case. The proceeding u/s. 145 Cr.P.C. is required to be disposed of as expeditiously as possible since it pertains to actual physical possession of the disputed land.

Equally it is the responsibility of the learned Magistrate to see that such proceedings are not unnecessarily dragged and no unnecessary adjournment is granted.

Accordingly this writ petition is disposed of with the direction directing the Executive Magistrate, Charaideo, Sonari to dispose of the Misc. Case No. 47/06 u/s. 145 Cr.P.C. as early as possible preferably within two months from the date of receipt certified copy of this order.

Petition stands disposed of.