15.10.2026
Court No.34
Sl. No.21
sg

CRR 5597 of 2025

In the matter of : **Sri Birendra Nath Sharma**

..Petitioner.

Mr. S. Basu
Mr. Tirtharaj Ghoshal
Mr. D. Upadhyay

…for the petitioner.

1. None appears to represent the opposite party.

2. This revisional application has been filed for expeditious disposal of a Special Case No.2 of 2005 pending before learned Special Judge (CBI) at Alipore. Present petitioner since retirement has not received his pensionary benefit or regular pension and gratuity because of pendency of the said case.

3. The genesis of the criminal case which was initiated on the basis of the complaint lodged on 30.3.2002 alleging illegal gratification in connection with medical college admission. 4.

4. It is submitted by the Learned Advocate representing the petitioner that the matter is pending for last 25 years hence specific direction should be given to the court to conclude the hearing in addition of the most of the witnesses have already expired or moved out. Out of 35 witnesses only 6 witnesses have been examined and further examination of PW-7 is going on.

5. On carefull perusal of the entire facts and circumstances of the case, the certified copy of the orders of the learned Special Court it transpires that the charge was framed in the year 2007 since thereafter trial though has commenced only 7 witnesses have been examined. On several occasions the witnesses did not turn up other than Court lying vacant and adjournment prayed for by the parties.

6. It is indeed a matter of serious concern that a criminal proceeding has remained pending for the last 25 years ,thereby depriving the petitioner who is a senior citizen and retired person,of his pensionary benefits solely only on account of pendency of the said proceedings .

7. The Hon'ble Supreme Court has repeatedly emphasized the need for expeditious disposal of old cases however for the best reasons known to the officers of the said court the trial continued in such a sloth pace.

8. In view of the aforesaid circumstances, direction is given to the Special Judge to conclude the trial as expeditiously as possible preferably by the end of February, 2027 without granting unnecessary adjournments to either of the parties.

9. Hence this revisional application stands allowed.

10. Since the order is passed in absence of the opposite party this Court has not entered into the merits of the case and hence

Learned Special Court is directed to expedite the matter as directed above.

11. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

[Chaitali Chatterjee (Das), J.]