

ITEM NO.25

COURT NO.12

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) Nos.1083-1084/2025

[Arising out of impugned final judgment and order dated 05-12-2023 in CRLMC No. 1303/2014 & CRLMA No. 4416/2014 passed by the High Court of Delhi at New Delhi]

AMARNATH GHOSH DASTIDAR

Petitioner(s)

VERSUS

THE STATE OF DELHI & ORS.

Respondent(s)

(IA No.169577/2024-EXEMPTION FROM FILING C/C OF I/JUDGMENT)

Date : 20-03-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSHU DHULIA
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) Mr. Thakur Sumit, Adv.
Mr. Arvind Gupta, AOR

For Respondent(s) Mr. Satya Darshi Sanjay, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. Padmesh Mishra, Adv.
Mr. Sarthak Karol, Adv.
Mr. Kartikeya Asthana, Adv.
Ms. Sweksha, Adv.
Mr. Sachin Sharma, Adv.

Mr. Navin Pahwa, Sr. Adv.
Mr. Mohit D. Ram, AOR
Mr. Anubhav Sharma, Adv.
Ms. Nayan Gupta, Adv.

Mr. Divakar Kumar, AOR

UPON hearing the counsel the Court made the following
O R D E R

Heard Mr. Thakur Sumit, learned counsel for the petitioner and
Mr. Navin Pahwa, learned senior counsel for the respondent(s).

The petitioner before this Court challenged the order(s) dated 05.12.2023 passed by the Delhi High Court where the order of Additional Sessions Judge, Saket dated 27.09.2013 was set aside, in which criminal proceedings pending before the Court of Chief Judicial Magistrate, Saket were stayed till the conclusion of proceedings in Probate case which is pending before the Tis Hazari Court, Delhi. Vide order dated 18.02.2010 the learned Single Judge of the Delhi High Court had directed that criminal proceedings presently may go on but final arguments will not be addressed and judgment will not be delivered. This order was passed, with a view to expedite the matter before the Criminal Court but at the same time, since the probate proceeding is pending before the Court of District Judge, Tis Hazari, Delhi, the proceeding before the Criminal Court shall not influence the decision in the probate case.

The contest here is primarily between the brothers and sisters of the same family and in order that a decision is reached in both the matters as expeditiously as possible, both the counsel representing the rival parties have given an undertaking to this Court that they shall not take any undue adjournment in any of the two cases and also undertake to make all possible efforts in proceedings in both the matters, so that it shall take place on a day to day basis, if possible.

We also direct that in both the cases subject to the restrictions imposed by the Delhi High Court on 17.03.2010 in the criminal case, the proceedings will go on as expeditiously as possible in the criminal as well as probate matter, but definitely

within a period of six months from today in both the matters.

The present petitions are disposed of in the above terms.

Pending application(s), if any, shall also stand disposed of.

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(RENU BALA GAMBHIR)
ASSISTANT REGISTRAR