GAHC010187422024

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Crl.Rev.P./362/2024

PRAVIR K ROY
S/O LATE S.N. ROY
EXECUTIVE DIRECTOR, BOGIDHOLA TEA AND TRADING COMPANY PVT. LTD., P.O. LETTAKUJAN, PIN-785613, DIST. GOLAGHAT, ASSAM

VERSUS

THE ASSISTANT PROVIDENT FUND COMMISSIONER AND INSPECTOR ASSAM TEA PLANTATION PROVIDENT FUND AND PENSION FUND AND DEPOSIT LINK INSURANCE SCHEME, GOLAGHAT, GOVT. OF ASSAM.

Advocate for the Petitioner : MR B KAUSHIK, K BHARALI,MR. S HAZARIKA

Advocate for the Respondent : SC, PF,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

17.09.2024

Heard Mr. B Kaushik, learned counsel for the petitioner and Mr. N C Das, learned senior counsel for the respondent, assisted by Mr. A Das, Advocate.

This is an application filed under Sections 438 and 442 read with Section 528 of the BNSS, 2023 challenging the order dated 21.08.2024 passed by the learned Court of the SDJM, Karbi

Anglong, Bokajan in CR Case No. 1468/2015.

The petitioner is an accused in CR Case No. 1468/2015.

On 21.08.2024, the petitioner filed an application before the court below praying for dispensing with his personal appearance on the ground of indisposed. The trial court refused the prayer of the petitioner and directed to issue NBWA against him.

Today, I have considered the submission made by the learned counsel of both sides. This court is of the opinion that the petitioner deserves to be given an opportunity to contest the case before the trial court. Therefore, the impugned order dated 21.08.2024 directing issue of NBWA against the present petitioner stands quashed and set aside.

Accordingly, the petitioner, Pravir Kumar Roy is directed to appear personally before the trial court on 18.10.2024 for receiving further orders.

With the above, the criminal revision petition is disposed of.

JUDGE

Comparing Assistant