

28.11.2022
S/L Nos.20, 21
KS

C.R.R. 2231 of 2021

Radha Nath Nandy

-Vs.-

State of West Bengal & Ors.

+

C.R.R. 3950 of 2016

+

IA No. CRAN 2 of 2017 (Old No. CRAN 1288 of 2017)

+

CRAN 3 of 2017 (Old No. CRAN 3306 of 2017)

M/s. Merck Limited & Anr.

-Vs.-

Radha Nath Nandi

Mr. Radha Nath Nandy

.....For the Petitioner in Person
(C.R.R. 2231 of 2021)

Mr. Ayan Bhattacharjee

Mr. Apalak Basu

Mr. Cedric Ferenandez

.....For the O.P. Nos.2 & 3(C.R.R. 2231 of 2021)

Mr. Sabyasachi Banerjee

Ms. Minal Palana

..... For the O.P. No.4(C.R.R. 2231 of 2021)

Mr. Ayan Bhattacharjee

Mr. Apalak Basu

Mr. Cedric Ferenandez

.....For the Petitioner (C.R.R. 3950 of 2016)

Mr. Radha Nath Nandy

.....For the O.P. in Person (C.R.R. 3950 of 2016)

The present petitioner preferred appeal being, CRA 567 of 2019 and Co-ordinate Bench of this Hon'ble Court was pleased to direct that the appropriate remedy available for the petitioner would be invoking provisions of Section 340 of the Code of Criminal Procedure. Petitioner

instead of preferring an application under Section 340 of the Code of Criminal Procedure has filed an application under Section 482 of the Code of Criminal Procedure. Ordinarily, an application under Section 340 of the Code of Criminal Procedure is to be filed in connection with the revisional application being, CRR 3950 of 2016 which was already disposed of in connection with the case and whether a perjury has been committed or not as alleged by the petitioner ordinarily is to be considered by the Hon'ble Court who passed the order.

Having regard to the nature of contentions so advanced in the present revisional application under Section 482 of the Code of Criminal Procedure, I am of the view that a second revisional application is not maintainable in respect of an earlier order passed by a Co-ordinate Bench.

However, having regard to the fact that the petitioner is appearing in person, is not aware regarding the intricacies and technicalities of law, I direct the matter to go out of list be placed before the Hon'ble Chief Justice for assignment before the Hon'ble Bench which passed the order dated 25.08.2017 in connection with compliant case No.727 of 2015 in CRR 3950 of 2016.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)