

04.03.2022

Item No.15
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 3027 of 2018
(Via Video Conference)

Sukanta Ghosh
versus
The State of West Bengal & Anr.

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973.

Mr. Ayan Bhattacharjee,
Mr. Apalak Basu ... For the Petitioner.

Re: CRAN 2 of 2019 (Old No. CRAN 3616 of 2019)
(an application for Restoration)

Affidavit-of-service filed in Court today be kept on record.

An application for restoration being CRAN 3616 of 2019 has been preferred at the instance of the petitioner.

Mr. Bhattacharjee, learned advocate appearing for the petitioner submits that on the relevant date when the order was passed, the petitioner could not effectively participate in the hearing, as none appeared or represented the petitioner when the revisional application is dismissed. Learned advocate further submits that the petitioner has an arguable case and the present case relates to matrimonial discord.

Be that as it may, I find that the order dated 17.04.2019 was not an order dismissing this revisional application by way of default, but there was a specific direction passed by the co-ordinate Bench of this Court while dismissing the revisional application.

Accordingly, the application being CRAN 2 of 2019 (Old No. CRAN 3616 of 2019) is dismissed.

However, the petitioner would be entitled to exhaust the statutory remedies, if so advised.

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

(Tirthankar Ghosh, J.)