

10.12.2020  
S.D.  
11.

**CRR 723 of 2020**

**Smt. Sanchita Sarkar Roy**  
**Vs.**  
**The State of West Bengal & Anr.**

Mr. R.N. Chakraborty  
Ms. T. Das

....for the petitioner.

Mr. Ranabir Roychowdhury  
Mr. Mainak Gupta

....for the State.

Mr. Ranabir Roychowdhury, learned Advocate appearing on behalf of the State, opposite party no. 1 is requested to appear.

Now, the application under Section 483 of the Code of Criminal Procedure is taken up for hearing and consideration whereby the petitioner has sought for expeditious disposal of C. Case No. 487 of 2016 pending before the Court of the learned Judicial Magistrate, 1<sup>st</sup> Court, Barasat, North 24 Parganas under Section 17, 18, 19, 20 & 22 of Protection of Women from Domestic Violence Act, 2005 inter alia on the ground that the complaint under Section 12 of the said Act was registered on March 2, 2016 and since considerable period of time, the matter has not been taken up for consideration by the learned Magistrate and the matter is pending since March 2, 2016.

Mr. R.N. Chakraborty, learned Advocate appearing on behalf of the petitioner has submitted that the petitioner is headmistress of a school. So obviously, she would not require any monetary protection. The petitioner is putting up in a separate flat and the said flat in question was purchased in the joint name of the petitioner and her husband and was purchased on payment of consideration by the petitioner alone by taking loan from the bank.

The husband of the petitioner is trying to interfere with her peaceful possession. Off and on, he comes and subjects her to various tortures including beating. So, the petitioner filed a complaint in the Baguihati Police Station in this regard to contain violence and oppressive action by the opposite party against her.

I have considered the order sheet placed in record which reflects that on May 27, 2016, the opposite party had entered appearance and date was fixed for hearing of the petition under Section 23 of the Act on July 17, 2016, and routine orders are being passed by the learned Magistrate deferring the date of hearing of the case, even when both the parties are present on dates.

Therefore, the revisional application is considered and allowed for disposal of the same as expeditiously as possible as the proceeding under the D.V. Act is required to be disposed of within 60 days from the date of filing of the order. I am of the view that usual notice upon the opposite party no. 2 is not required as the order herein passed for disposal of the case by the Magistrate is not prejudicial to the interest of

the opposite party/husband. However, parties are directed to cooperate with the learned Court in the proceeding.

Thus, the revisional application is disposed of.

No order as to costs.

**(Shivakant Prasad, J.)**