

14.01.2021

Sl. No. 26

Srimanta

D/L

Ct. No. 30

CRR/100/2021

**Smt. Paromita Panja Nee Basu
-Vs.-
The State of West Bengal & Anr.**

(Via Video Conference)

Mr. Pawan Kumar Gupta, Adv.,
Ms. Sofia Nesar, Adv.,
Mr. Santanu Sett, Adv.

...for the petitioner.

Only grievance of the petitioner is that she filed an application under Section 12 read with Section 23 of the Protection of Women from Domestic Violence Act (hereafter described as the said Act) for appropriate relief. The said application was registered as Misc. Case No. 558 of 2018 in the Court of the Learned First Judicial Magistrate at Howrah. Till this date her application for interim relief has not been disposed of though the opposite party has filed written objection against the said application.

Considering the grievance of the petitioner and on perusal of the certified copy of the order-sheet, I am of the view that the instant revision can be disposed of even without service of notice to the other side directing the Learned Judicial Magistrate, 1st Court to dispose of the petitioner's application under Section 23 of the said Act within a specific period of time.

For the reasons stated above, the Learned Judicial Magistrate, 1st Court at Howrah is specifically directed to dispose of the application under Section 23 of the said Act within three weeks from the date of receiving the server copy

of the order. The petitioner is at liberty to take out the server copy of the order and place the same before the Learned Magistrate. Before passing order, the Learned Magistrate is at liberty to serve a notice to the Learned Advocate for the opposite party so that the principle of providing opportunity of being heard should be maintained while disposing of the said application.

The instant revision is, thus, disposed of, however, without cost.

(Bibek chaudhuri, J.)