

21.09.2021
Item no.2
Ct. No.39
CHC

C.R.R. No.225 of 2011
(Physical Hearing)

In Re:- An application under Section 397 read with Sections 401 and 482 of the Code of Criminal Procedure.

AND

In the matter of:-

Smt. Sangita Pal

.....petitioner

Mr. Anirban Dutta,

Mr. Debabrata Das

...for the opposite party/husband

None appears for the petitioner even in virtual mode.

No accommodation is proposed on behalf of the petitioner.

Record reveals that two other dates, previously fixed already, went adjourned for the non appearance of the petitioner.

Mr. Anirban Dutta, learned advocate appearing for the opposite party/husband is present and by producing a copy of revisional application being C.R.R.3514 of 2019, submits that the relevant Misc.Case under Section 127 Cr.P.C. being Misc.Case No.18 of 2007, said to be pending before the learned Judicial Magistrate, 2nd Court, Berhampore, Murshidabad, has already been disposed of and, which is very much mentioned in paragraph-‘4’ of the revisional application being C.R.R.3514 of 2019.

The copy of the revisional application as referred to is furnished by the learned advocate for the opposite party today.

The subject-matter of the revisional application is to ensure expeditious disposal of pending Misc.Case No.18 of 2007 under Section 127 Cr.P.C. stated to be pending before learned Judicial Magistrate, 2nd Court, Berhampore, Murshidabad.

It is, thus, gathered knowledge that the relevant Misc.Case No.18 of 2007 has already been disposed of thereby enhancing the maintenance allowance for the petitioner/wife to Rs.8,000/- per month and Rs.10,000/- per month to the child totaling to Rs.18,000/- per month. With the final disposal of the Misc.Case No.18 of 2007 by the concerned Magistrate, the instant revisional application has become infructuous.

It is also submitted by the learned advocate for the opposite party that against the decision rendered in the concerned application under Section 127 Cr.P.C. pertaining to Misc.Case No.18 of 2007, a separate revisional application was preferred before the sessions court, that has already been disposed of, and further against the decision given by the sessions court, there has been further challenge before this Court, which has also been disposed of.

That being the position, no use of proceeding with the instant revisional application any more.

With this observation, the instant revisional application being C.R.R.225 of 2011 stands disposed of.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Subhasis Dasgupta, J.)