

18.2.2021

ks.

Ct. 42, sl.26

CRR 440 of 2021

Amar Adhikary

vs

Surajit Dalui & Anr.

Mr. Sabyasachi Chatterjee,
Mr. Pintu Karar,
Mr. Akashdeep Mukherjee
... For Petitioner.

Mr. Madhusudan Sur,
Mr. Dipankar Paramanick
... For the State.

This is for return of seized licensed arm for the purpose of renewal of the same. The copy of this revisional application is handed over to Mr. Sur, learned Advocate who previously entered appearance for the State in connection with CRR No.1676 of 2020.

Mr. Sabyasachi Chatterjee, learned Advocate representing the petitioner submits that the petitioner is a retired Army personnel having a licensed arm and for the purpose of the renewal of the licensed arm, return of the arm is necessary.

Previously instituted revisional application being CRR 1676 of 2020 was disposed of on 12th January, 2021 giving liberty to renew the prayer after the FSL is over. No prayer before the learned Magistrate has been made as yet in renewal of the same as per order dated 12th January, 2021.

Mr. Sur, learned Advocate for the State submits that in absence of any prayer before the learned Magistrate, it is quite premature to consider the same once again.

Having considered the rival submissions of the parties, the revisional application is disposed of with a direction upon the

petitioner to make application before the learned Magistrate for return of the seized arm for the purpose of renewal of the licensed arm, and if any application is filed, the same shall be disposed of by the learned Magistrate within a fortnight in accordance with the provisions of the law providing sufficient opportunity of hearing to either of the parties in this case.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Subhasis Dasgupta, J.)