

CRR 614 of 2011

(Via video conference)

In the matter of : Buddhadev Pal

.....Petitioner

Mr. Sourav Chatterjee....for the H.C.L..S.C.

Mr. Madhusudan Sur, Ld. A.P.P.

Mr. Dipankar Paramanikfor the State

Mr. Sourav Chatterjee, learned advocate appearing on behalf of the High Court Legal Services Committee is present and submits that the revisional application was preferred in the year 2011 against the judgment and order dated 6th January, 2011 passed by the Learned Additional Session Judge, Katwa in sessions case no. 63 of 2005/sessions trial no. 18 of 2006 arising out of Mongalkote Police Station case no. 63 of 2003.

Mr. Sur, learned advocate appears on behalf of the State. I have perused the records of the case. I find that the petitioner was aggrieved by the order of acquittal passed in respect of some of the accused persons. In view of the settled position of law that the right of the affected party was to be ventilated by way of appeal instead of revision, pursuant to the amendment Act of 2009, I am of the view that the revisional application filed in the year 2011 is not maintainable.

Accordingly, CRR 614 of 2011 is dismissed.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

The lower court record, if any, be returned to the jurisdictional court.

The petitioner will be at liberty to prefer an appeal explaining the causes of delay including the pendency of the revisional application before this court.

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

(Tirthankar Ghosh, J.)