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C.R.R. 984 of 2011

In the matter of Surojit Basak ..petitioner.

Mr. Binoy Kumar Panda

Mr. Pratick Bose

...for the State.

Mr. Binoy Kumar Panda along with Mr. Pratick Bose, learned Advocates who usually appear on behalf of the State are requested to appear in this revisional application.

Learned Public Prosecutor is requested to regularize the appointment of Mr. Binoy Kumar Panda and Mr. Pratick Bose learned advocates in due course.

Learned Advocate on behalf of the State appears and submits that the case is pending since 2011 and in spite of specific order of this court, no affidavit of service has been filed.

This revisional application under section 482 read with Section 401 of the Code of Criminal Procedure filed challenging the judgment and order dated 24.1.2011 passed by the learned Chief Judge of City Sessions Court at Calcutta whereby the learned Judge modified the quantum of monthly monetary relief from Rs. 3,000/- to Rs. 4,000/- per month.

It is settled that in revision against the order awarding maintenance the revisional court has no power to re-assess the evidence and substituted it's own finding.

On careful perusal of the judgment impugned, I do not find any reason to interfere with this judgement impugned.

In the aforesaid view of the matter, the revisional application stands dismissed.

The learned Registrar (Judicial Services) is requested to communicate this order to the learned Chief Judicial Magistrate, Nadia forthwith.

(Bibhas Ranjan De, J.)