

10.11.2021
Item No.07
suman
Ct.25

(Via Video Conference)

CRA 298 of 2021

In the matter of: Sheta Oraon

Ms. Karabi Sengupta
Mr. Shankar Sengupta
...for the appellant

The petitioner filed an application praying for right to residence in shared household before the Court of the learned Magistrate. The learned Magistrate refused to grant any ex parte ad interim relief to the petitioner. The petitioner being aggrieved against the said order preferred an appeal before the learned Sessions Judge at Barasat being Criminal Appeal No.16 of 2021 under Section 29 of the Protection of Women from Domestic Violence Act, 2005.

Learned Appellate Court finding no illegality or impropriety in the order impugned summarily dismissed the criminal appeal. Against the aforesaid order passed in Criminal Appeal No.16 of 2021 dated 21st April, 201 the petitioner has preferred the instant appeal.

Having heard the learned advocate for the petitioner and on careful perusal of the provisions under the Protection of Women from Domestic Violence Act, 2005 this Court finds that against the order under Section 29 of the said Act no appeal is maintainable before the Hon'ble High Court. Therefore, the instant appeal being not maintainable is summarily dismissed. However, the petitioner is at liberty to take appropriate recourse provided under the law.

(Bibek Chaudhuri, J.)