

D/L19.
August 6,
2021
Bpg.

C.R.R. No.2992 of 2011
(Via Video Conference)

Ashish Kumar Guha
Versus
The State of West Bengal and Anr.

Mr. Sourav Chatterjee,
...for the petitioner.

Mr. Sourav Chatterjee, learned advocate appearing for the petitioner has challenged the proceedings relating to Case No.C/4666 of 2010 pending before the learned Judicial Magistrate, 10th Court, Alipore, South 24 Parganas under Section 12 of the Protection of Women from Domestic Violence Act, 2005 as also the orders passed in connection with the said proceedings.

The core contention of the petitioner was relating to the position of law regarding retrospective or prospective operation of the Act. The said issue has already been settled by the Hon'ble Supreme Court. As such, so far as the issue of law is concerned, I am of the view that the petitioner has failed to make out any case before this Court at this stage. However, the petitioner will be at liberty to agitate the issues relating to facts at the appropriate stage of the proceedings, if the proceedings are still pending before the jurisdictional court.

With the aforesaid observations, CRR 2992 of 2011 is disposed of.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

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

(Tirthankar Ghosh, J.)