

29.07.2021
Item no.14
Ct. No.34
CHC

C.R.R. No.3036 of 2011

(Via Video Conference)

In Re: An application under Section 401 of the Code of Criminal Procedure, 1973.

AND

In the matter of:-

Paromita Das

... petitioner

The present petitioner is aggrieved by the proceedings being transferred from the court of the learned Additional Chief Judicial Magistrate, Alipore to the court of learned Additional Chief Judicial Magistrate, Asansol.

Learned sessions court while arriving at its finding categorically recorded that the order passed by the learned A.C.J.M. on 01.04.2010 is palpably illegal and wrong but as the learned A.C.J.M, Asansol had already acted on the proceedings being transferred to him, the sessions court felt that it did not have any authority over the learned A.C.J.M, Asansol and as such the petitioner should approach superior court.

The revisional application was admitted on 17.11.2011. No interim order was granted at that stage.

Having regard to the fact that the original proceedings before the learned Magistrate is of the year 2010 and presently, we are in the year 2021 it will cause prejudice to the parties if the transfer

is reverted back to learned A.C.J.M, Alipore at this belated stage.

As such, no interference is called for.

Accordingly, C.R.R.3036 of 2011 is dismissed.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)