

23.12.2021

Item No.148

Ct.No.34

dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 2573 of 2021
(Via Video Conference)

Sunil Kumar Roy Chowdhury & Anr.
versus
State of West Bengal & Anr.

Mr. Gopal Chandra Ghosh,
Mr. Sibsankar Bandyopadhyay ... For the Petitioners.

The petitioners are aggrieved by the fact that on 12.12.2019 when the revisional application was admitted, the point of limitation under Section 5 of the Limitation Act was not considered by the learned Sessions Judge, 24-Parganas (North), although the previous orders reflect that date was fixed for considering the point of limitation prior to admission of the revisional application. Subsequently, the point of limitation was not taken into consideration and the revisional application has been admitted.

I find that more than two years have elapsed since then and the revisional application is still pending.

In view of the submissions advanced by the learned advocate appearing for the petitioners, I direct the learned trial court to consider at the time of final hearing of the revisional application as to whether the revisional application was time barred or not. The learned court would decide on the said issue and dispose of the revisional application in accordance with law.

With the aforesaid observations, the revisional application being CRR 2573 of 2021 is disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)