

April 27, 2022
Sl. No. 32
Court No.34
s.biswas

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 293 of 2015

In re. An application under Article 227 of the
Constitution of India.

In the matter of: Sri Tapan Ghosh and others
... petitioners

The present revisional application was preferred
challenging the order dated 07.01.2015 passed in Criminal
Motion No.500074 of 2014 by the learned Sessions Judge,
Hooghly in relation to M.P. Case No.302 of 2014.

Learned Sessions Judge, Hooghly was pleased to order
as follows:

“That the stay order passed by this Court on
10/11/2014 is hereby vacated. The revisional
application is hereby disposed of without interfering
with the order of the Ld. Magistrate. In my opinion,
ld. Magistrate has no power to adjudicate the title of
the parties and having passed an order in favour of
the o.ps. in M.P. Case No.302 dated 24/03/2014
after considering the B.L. & L.R.O.’s report and
directing the police to give assistance to the o.ps.
herein to cultivate the property in dispute, Ld.
Magistrate cannot pass any further order in M.P.
Case No.1323 dated 10/11/2014 filed by the
petitioners/revisionists herein suppressing the order
already passed in favour of this o.ps. The order

impugned in my opinion is, therefore, absolutely justified and suffers from no infirmity or illegality.”

Having regard to the reasons so assigned by the learned Sessions Court, I do not find any scope for interference.

Accordingly, CRR 293 of 2015 is dismissed, pending application if any is consequently disposed of, interim order if any is hereby vacated.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)