

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 954 of 2022

**Prativa Ghosh @ Pratibha Ghosh and Anr.
Vs.
The State of West Bengal & Anr.**

Mr. Suchindram Bhattacharjee
...for the petitioners

Mr. Imran Ali
Ms. Debjani Sahu
...for the State

Item No.07

Heard & Judgment on: 14.09.2022

Bibek Chaudhuri, J.

Affidavit of service be kept with the record.

Grievance of the petitioners is that the opposite party No.2 filed an application under Sections 12 /18/19 of the Protection of Women

from Domestic Violence Act, 2005 (hereinafter referred to as the said Act) which was registered as Misc. Case No.439 of 2019 before the learned Judicial Magistrate, 2nd Court, Durgapur, Paschim Burdwan. The learned Magistrate disposed of the above mentioned proceeding on 27th February, 2020.

Being aggrieved the opposite party No.2 filed an appeal before the learned Judge, Special Court-cum-Additional Sessions Judge at Durgapur assailing the judgment and order passed in Misc Case No.439 of 2019 which was registered as CR(A) Case No.01/2020. The grievance of the petitioners who are the respondents in the said appeal is that the learned Judge in the Court of Appeal failed to dispose of the appeal and the same is pending for more than two years.

On perusal of the affidavit of service it is found that in spite of service of notice of the instant proceeding the opposite party No.2 has not entered appearance. The State of West Bengal is represented by Ms. Debjani Sahu, learned advocate.

An appeal under the said Act is required to be disposed of at the earliest because the question of monetary relief and other benefits which an aggrieved person under the said Act is entitled to get.

Considering such aspect of the matter, the instant revision is disposed of directing the learned Judge in the Court of Appeal to

dispose of Cr. (A) case No.01/2020(04)/2020) within three months after vacation.

The parties are at liberty to act on the server copy of this order.

The instant revision is, thus, disposed of.

(Bibek Chaudhuri, J.)