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June 16,
2022
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C.R.R. No.1230 of 2022

In Re: An application under Article 227 of the Constitution of India;

Abdul Majid
Versus
Akibuddin & Anr.

Mr. Golam Mostafa,
Mr. T.S. Samanta.
...for the petitioner.

Mr. Uday Narayan Betal,
Mr. Dhananjay Banerjee.
...for the opposite party no.1.

The order dated 08.03.2022 was passed in Case No.61 of 2022 by the learned Sub-Divisional Executive Magistrate, Domkal, Murshidabad wherein the Officer-in-Charge, Islampur Police Station was directed to restrain the opposite party from disturbing or dispossessing the petitioner.

The said order was passed on 8.3.2022. The statutory period required under the provisions have expired. The nature of the order so passed does not fall within the domain of learned Sub-Divisional Executive Magistrate, Domkal, Murshidabad.

Accordingly, the order passed in Case No.61 of 2022 should not be given effect to.

Parties would be at liberty to approach the civil court for appropriate remedy.

Thus, CRR 1230 of 2022 is disposed of.

Pending application, if any, is consequently disposed of.

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

(Tirthankar Ghosh, J.)