

20.04.2022

Sl. No. 2.
Mithun
Ct.No.42.

(Via Video Conference)

CRA/201/2019
Dropadi Fabrics
Vs.
Kushal Saraf & Anr.
With
CRA/245/2019
Mayank International
Vs.
Kushal Saraf & Anr.

Md, Sabir Ahmed, Adv.
Mr. Ajit Kumar Mishra, Adv.

...for the appellant.

It is submitted by Md. Sabir Ahmed, learned Advocate for the appellant that by a common judgment dated 28th March, 2022 two appeals being CRA No.201 of 2019 and CRA No.245 of 2019 were heard and disposed of. Both the appeals were allowed and judgments and orders of acquittal passed in two separate cases, against which the above-mentioned appeals were filed, were set aside. However, in Page 6 of the judgment passed by this Court, inadvertently the order of setting aside of the judgment passed by the Metropolitan Magistrate, 20th Court, Calcutta in CN/0092442 of 2016, corresponding to T.R.No.5816 of 2016 dated 29th November, 2018 was not recorded.

In view of such circumstances, the following paragraphs be made part of the judgment dated 28th March, 2022:-

“The judgment and order of acquittal passed by the learned Metropolitan Magistrate, 20th Court, Calcutta in CN/0092442 of 2016 corresponding to T.R. No.5816 of 2016 dated 29th November, 2018 is liable to be set aside. CRA 245 of 2019 is accordingly allowed.”

The above mentioned paragraph be made part of the judgment dated 28th March, 2022 and the same be incorporated in the judgment dated 28th March, 2022. The judgment passed by this Court which was uploaded in the server be deleted and after necessary correction, the fresh judgment duly signed by this Court be uploaded in the server.

It is also submitted by Mr. Ahmed that the name of the Advocate, appearing on behalf of the appellant was wrongly recorded as Mr. Ajit Kumar ‘Mitra’ instead of Mr. Ajit Kumar ‘Mishra’. Necessary correction be made in the judgment dated 28th March, 2022.

(Bibek Chaudhuri, J.)