

21.02.2022
S/L No.3
KS

(Via Video Conference)
C.R.R. 1361 of 2011
Indrajit Mukherjee @ Anr.
-Vs.-
Smt. Panchali Mukherjee

The revisional application is fixed up today for hearing.

On call none appears for the petitioners.

On perusal of order dated 15.02.2022 it appears that notice has not been served upon the opposite party till date. The matter is appearing in the list on consecutive dates but petitioner is absent without taking steps.

The petitioners preferred this revisional application challenging order dated 24.01.2011 passed by Learned Additional Sessions Judge, Durgapur, Burdwan in Criminal Appeal No. 1 of 2011 arising out of Misc. Case No.10 of 2010 under P.W.D.V. Act, whereby the appeal was dismissed *in limine*. On perusal of the record it appears that the final order was passed by Learned A.C.J.M., Durgapur on 04.10.2010. The present petitioner preferred an appeal on 21.01.2011 after applying for the certified copies on 11.01.2011. Learned Additional Sessions Judge referring to the provision of Section 29 of the P.W.D.V. Act observed that

the period for filing of the appeal is 30 days from the date of the order made by the Learned Magistrate was served upon the aggrieved person. Learned Additional Sessions Judge found that the petitioners came to know of the final order on 15.12.2010 and preferred the appeal after expiry of the statutory period of 30 days.

Under such circumstances, I do not find any illegality, impropriety or irregularity in the impugned order.

The revisional application has no merit and the same is dismissed.

The revisional application is accordingly disposed of.

(Ananda Kumar Mukherjee, J.)