

19.04.2022

Sl. No. 45

Srimanta

Ct.No. 42

CRR/1345/2005

In Re : An application under Section **482** of the Code of Criminal Procedure, 1973.

In the matter of : **Babulal Mallik & Anr.**

...petitioners.

Mr. Rahul Ganguly, Adv.

...for the petitioners.

Mr. Binay Panda, Adv.,

Mr. Saurindra Mahapatra, Adv.

...for the State.

The petitioners are represented by Mr. Rahul Ganguly, the Learned Advocate. The Learned Public Prosecutor-in-Charge is present on behalf of the State of West Bengal.

It is submitted by the Learned Advocate for the petitioners on instruction that the petitioners are not at all interested in proceeding with the instant revisional application because the case was registered against the petitioners in the year 2004. For last 18 years the parties have not taken any step since there was a stay of further proceedings in G.R. Case No. 92/2004.

It is also submitted by Mr. Ganguly that the dispute relates to occupation of a Railway quarter at Alipurduar. The *de facto* complainant being the younger brother of the petitioners used to stay in a room of the Railway quarter allotted to the petitioner no. 1 as his licensee. Subsequently, as a result of dispute between the brothers he lodged a complaint before the Officer-in-Charge, Alipurduar Police Station on 12th February, 2004 on the basis of which charge-

sheet was submitted in G.R. Case No. 92/2004 under Sections 420/419/406 of the Indian Penal Code. It is submitted by Mr. Ganguly that in spite of repeated reminders the petitioners have not contacted with him and they are not interested to proceed with the instant revision.

In view of such circumstances, the instant revision is **dismissed for non-prosecution.**

Let a copy of this order be sent to the Learned Court below.

(Bibek Chaudhuri, J.)