

20.10. 2022
item No.02
n.b.
ct. no. 35

CRR 1917 of 2022

Mayank Rathi & Ors.
Vs.
Smt. Sunita Rathi & Anr.

Mr. Falgunmi Bandyopadhyay,
Mr. Rabin Dhar,
Mr. Soumen Ghosh,
Ms. Sreetama Neogi,
Ms. Riya Ballav,
.....for the Petitioners.

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan
... for the State.

Mr. Avik Ghatak,
Mr. Sagnik Mukherjee
.... For the opposite party.

Affidavit of service filed by the petitioner be kept with the record.

The petitioner has moved the criminal revisional application under Section 482 of the Code of Criminal Procedure for setting aside/modification of order dated 12.5.2022 in Misc. case no.4 of 2022 pending before the Metropolitan Magistrate, 3rd Court, Calcutta. The order under revision is an interim order under Section 23(1) of the Protection of Women from Domestic Violence Act, 2005. The petitioner does not make out any ground praying for quashing of the said proceedings. The relief of the petitioner lies before the Learned Court of Sessions.

Learned Lawyer for the petitioner prays for withdrawing the said application, which is considered in presence of the opposite party with liberty to approach the appropriate forum praying for necessary reliefs under Section 29 of the Women from Domestic Violence Act, 2005.

Leave is granted to the petitioner to take back the original certified copy by filing a xerox copy of the same.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Shampa Dutt(Paul), J.)