

12.07. 2022
item No.64,65,66
n.b.
ct. no. 34

CRR 2170 of 2008
Bivash Mondal
Vs.
The State of West Bengal & Anr.
With
CRR 2171 of 2008
Bivash Mondal
Vs.
The State of West Bengal & Anr.
With
CRR 2173 of 2008
Bivash Mondal
Vs.
The State of West Bengal & Anr.

Mr. Kaushik Chatterjee
.... For the petitioner

Record reflects that the interim order was passed lastly in the year 2009 wherein it was extended for a period of two weeks after the Christmas vacation vide order dated 27.11.2009. In view of the contentions advanced in the revisional application, I am of the opinion that mixed question of fact and law are involved as such without a trial being conducted it is difficult to arrive at a conclusion regarding the applicability of the proceedings under Section 138 of the Negotiable Instruments Act.

Accordingly, petitioner would be at liberty to agitate the points canvassed in all the revisional applications at the appropriate stage of the proceeding, if the complaint case till date has not been disposed by the Learned Magistrate.

With the aforesaid observations, CRR 2170 of 2008, CRR 2171 of 2008, CRR 2173 of 2008 are disposed of.

All pending connected applications, if any, are 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.)