

24.11.2022
S/L No.102
KS

C.R.R. 3179 of 2022

Ruchi Basu alias Ruchi Bengani
-Vs.-
Santanu Basu

Mr. Sanat Kumar Das
Mr. Sujan Chatterjee
.....For the Petitioner

Learned advocate appearing for the petitioner submits that although the application under Section 12 of the P.W.D.V. Act, 2005 was filed on 1st December, 2020, but, till date, the petitioner/applicant is without any remedy and the opposite party on different pretext is successfully delaying the process of the Court.

Learned advocate further submits that even after two years, the petitioner is without any interim relief.

Having regard to the fact that the provisions of the P.W.D.V. Act, 2005 were brought into force with a larger perspective for protection of women against domestic violence and the remedies which neither exclusively the Criminal Court nor the Civil Court could provide to a destitute women, I am of the opinion that the Learned Metropolitan Magistrate, 15th Court, Calcutta should deal with such cases with much more human approach. Learned Court should have taken into account the nature of the prayers which were advanced as interim measure particularly

with regard to Section 19 and Section 20 of the Act which were incorporated in the main application.

It has been informed that the next date has been fixed on 23rd January, 2023 (in all probability the said date is a 'Holiday'). Learned Magistrate would within a week from the said date so fixed proceed with the case according to the established norms, however, if any further delay is caused at the behest of the opposite party, the Learned Magistrate is directed to first dispose of the prayers under Sections 19 and 20 so made in the application under Section 12 of the P.W.D.V. Act. All efforts must be made by the Learned Court to conclude the trial of the present case by January, 2024.

With the aforesaid observations, C.R.R. 3179 of 2022 is disposed of.

Pending applications, if any, are consequently disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)