

23.11.2022

Court No.35
Item No. 7

d.g.

CRR 2886 of 2016
With
CRAN 3436 of 2016

Krishna Kumar Kedia
Vs.
M/s Ojha and Brothers & Ors.

Mr. Sabyasachi Mukherjee,
Ms. Debarati Chowdhury.

... for the petitioner

Mr. Sourav Chatterjee,
Mr. S. Nag.

... for the State

Parties are represented.

This is a revision case challenging the order dated 21st January, 2015 passed by the Judicial Magistrate, 4th Court, Sealdah in Complaint Case No. 529 of 2013 under Section 138 read with Section 141 of the Negotiable Instruments Act, 1881.

It is submitted that the impugned order would have the effect of acquitting the accused persons/opposite parties and, therefore, since from 2015 the opposite parties are acquitted in the case.

It is further submitted that the impugned order is an appealable one and the revision may not be maintainable against the same.

An application under Section 5 of the Limitation Act is also preferred with the prayer for condoning the delay in filing the present case.

However, considering the impugned order and the fact that the same is an appealable one, I find this revision to have no merit.

Accordingly, the revision is dismissed with liberty granted to the petitioner to move before the appropriate Court in accordance with law.

(Rai Chattopadhyay, J.)