

**10.6.2022
S.D.
12.**

**C.R.R. 2879 of 2015
With
CRAN 1 of 2015 (Old CRAN 4509 of 2015)**

**Suman Roy & Ors.
Vs.
The State of West Bengal & Anr.**

On call none appears for the petitioner as well as for opposite party nos. 1 and 2.

By order dated 14.3.2022, a direction was given to the department to issue administrative notice upon the petitioners and opposite party no.

2. The matter is listed today for hearing for compliance report.

Deputy Registrar (Criminal/Assistant Registrar) has submitted his report dated 18.5.2022 wherein he has clearly stated that notice upon the petitioner nos. 1 to 5 send through learned Chief Judicial Magistrate, South 24-Parganas, Alipore and opposite party no. 2 through learned Chief Judicial Magistrate, Howrah have been duly served and process server's report has been submitted whereas notice issued to petitioner nos. 6 and 7 through learned Chief Metropolitan Magistrate, Kolkata has not returned and no report has been received by the Department from the concerned office of the Court.

It is surprising to find that in several other matters notice were issued through the learned Chief Metropolitan Magistrate, Kolkata but

were not served and no report sent. This inaction on the part of the concerned officer is unacceptable.

Call for an explanation from learned Chief Metropolitan Magistrate, Kolkata as to why service of notice through the office of such Court is not being complied. The report should reach this Court with seven days from this order.

Petitioners filed this application against State and one Susmita Roy (Dey) praying for quashing of the proceeding in connection with Amta Police Station Case No. 321 of 2013 under Section 498A/323/34 of the IPC and Sections 3 and 4 of Dowry Prohibition Act giving rise to G.R. Case No. 2384 of 2013 pending before learned Additional Chief Judicial Magistrate, Ulberia.

The petitioners did not appear on consecutive dates.

Accordingly, the revisional application is dismissed with default.

Interim order, if any, stands vacated.

Let a copy of this order be sent to learned Chief Metropolitan Magistrate, Kolkata for information and compliance and to learned Additional Chief Judicial Magistrate, Ulberia for information.

(Ananda Kumar Mukherjee, J.)

