

D/L1
July 11,
2022
Bpg.

C.R.R.3697 of 2009

In Re: An application under Section 482 of Code of Criminal Procedure,
1973;

Dibyendu Khutia
Versus
The State of West Bengal and another

Mr. Sourav Chatterjee,
Mr. Soumya Nag,
Mr. Aditya Tiwari.
...for the petitioner.

The present revisional application was preferred for quashing of the proceedings being M.P. Case No.1021 of 2009 pending before the learned Sub-Divisional Magistrate, Tamruk, Purba Medinipur under Section 144 of the Code of Criminal Procedure.

Records reflect that the order was passed on 17.08.2009 and 10.09.2009 which are also subject matter of challenge. There was a direction by the learned Executive Magistrate for not disturbing the possession of the suit plot. The appropriate authorities and/or the civil court should have been in *seisin* over the matter for deciding the issue regarding possession.

Having regard to the time period which has elapsed since the order was passed, I am of the opinion that the main application being M.P. Case No.1021 of 2009 has become infructuous. As such, no order need be passed.

Accordingly, CRR 3697 of 2009 is disposed of.

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.)