

06.05.2022

Item No.63
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 2884 of 2013

**Hridika Nanda Ghoshal & Anr.
versus
Susmita Ghoshal & Anr.**

In Re: An Application under Sections 397/401 read with Section 482 of the Code of Criminal Procedure.

The present revisional application has been preferred challenging the order dated 04.07.2013 passed in connection with M.P. Case No. 12 of 2013 by learned Judicial Magistrate, Baruipur in respect of a proceeding under the Protection of Women from Domestic Violence Act, 2005. The order reflects that an application was preferred for recalling the order dated 06.06.2013 wherein the learned Magistrate was pleased to decide for proceeding *ex parte*. The learned Magistrate imposed costs for deposit prior to recalling the said *ex parte* order.

Having regard to the reasons so assigned by the learned Magistrate, I am of the opinion that there is no illegality in the said order as dilatory tactics was adopted by the present petitioners before the learned Magistrate. Thus, no interference is called for in respect of the order dated 04.07.2013.

Accordingly, the revisional application being CRR 2884 of 2013 is dismissed.

Interim order, if any, is hereby vacated.

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.)