

22.02.2022

Sl. No. 23

Court No.35

BM

(Via Video Conference)

C.R.R. 4085 of 2011

Sm. Sankari Saha

-Vs.-

Kumar Rai & Ors.

Mr. Binay Panda

Mr. Pravas Bhattacharyya

... for the State

The revisional application is fixed up today for hearing.

None appear for the petitioner and the opposite party nos. 1 to 8. Mr. Binay Panda and Mr. Pravas Bhattacharyya, learned advocates appear for the State. The appointment of the State advocates may be regularised by the concerned authority.

The revisional application has been filed challenging the order dated 16.12.2011 passed by the Executive Magistrate, Jalpaiguri in Case No.750 of 2011.

Perused the application and the impugned order. Heard learned advocate for the State who submitted that the impugned order dated 16.12.2011 has no force and there is nothing to interfere with the said order. Considered the submission.

It appears to me that the Executive Magistrate after hearing both parties and on considering the report submitted by the BLLRO and Police directed both parties to maintain status and not to carry on any construction over the disputed plot disturbing law and order.

I do not find any illegality in the impugned order.

The order is bereft of force by virtue of the provision under section 144 (4) of the Code of Criminal Procedure. The revisional application is therefore, dismissed on merit.

(Ananda Kumar Mukherjee, J.)