

06.12.2022
Item No.07.
Suman
Ct.42

CRR 4321 of 2022

Sourav Datta
Vs.
The State of West Bengal & Ors.

Mr. Milon Mukherjee, Sr. Adv.
Mr. Kaushik Gupta
Mr. Anirban Tarofder
..for the petitioner

The opposite party No.2 filed an application under Section 144(2) of the Code of Criminal Procedure which was registered as Miscellaneous Case No.408 of 2022 before the learned Executive and Metropolitan Magistrate, 3rd Court, Calcutta against the opposite party No.3 and the petitioner herein. The petitioner herein is the District Engineer of CESC.

The dispute between the opposite party Nos. 2 and 3 relates to installation of an electric meter. Suffice it to say that previously a proceeding under Section 144(2) of the Code of Criminal Procedure was lodged by the opposite party No.2. The opposite party No.3 filed a writ petition for a direction to give electric connection in her shop cum restaurant and certain orders were passed.

It is surprising to note that in Miscellaneous Case No. 408 of 2022 the petitioner is made a party in his personal name for discharging his official duties and the learned Executive and Metropolitan Magistrate, 3rd Court, Calcutta directed him to be personally present in Court for interrogation.

This order cannot sustain and is set aside.

The petitioner is permitted to appear before the Court of the learned Executive and Metropolitan Magistrate, 3rd Court, Calcutta on the date fixed through his authorized advocate. The learned advocate authorized by the petitioner is at liberty to take any step on behalf of the petitioner.

In view of the above order nothing remains in the instant revision.

Accordingly, the instant revision is disposed of.

(Bibek Chaudhuri, J.)