

CRR 3837 of 2008

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

And

In the matter of: Shome Nath De

.... Petitioner

Mr. Jayanta Narayan Chatterjee,
Mr. Anirban Dutta

...For the Petitioner

Mr. Madhusudan Sur,
Mr. Dipankar Paramanick

...For the State

Let the affidavit of service filed on behalf of the petitioner be
kept with the records.

It appears that the postal articles have come back from opposite
party no.2/accused with an endorsement 'Deceased'. It further
appears that one G. Khawas received another copy of the application
on behalf of opposite party no. 2.

Since the opposite party no. 2/accused had died during
pendency of this revisional application, the complaint case no.687-
C/08 pending before the learned Magistrate, 4th Court, Howrah under
Section 11 (1) of the Public Premises (Eviction of Unauthorised
Occupants) Act, 1971 cannot be proceeded any further. Accordingly,
the revisional application has also become infructuous.

Accordingly, CRR 3837 of 2008 is dismissed.

The petitioner will be at liberty to take appropriate step in
accordance with law, if so advised, against the legal heirs of the
opposite party no. 2.

Let urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all necessary formalities.

(Kausik Chanda, J.)