

Court No. 33
Item 5
sk
25.8.2022

CRR 3096 of 2013

**Gopinath Auddy
versus
Paresh Kr. Maity**

Re: An application under Section 482 of the Code of Criminal Procedure.

None appears on behalf of the petitioner.

The petitioner has preferred the present revisional application challenging the order dated 15.07.2013 passed by the learned Chief Metropolitan Magistrate, Calcutta in Miscellaneous Case No. 31 of 2011 rejecting the prayer of the petitioner under Section 410 of the Code of Criminal Procedure.

The factual matrix of the case is that the petitioner filed an application before the learned Chief Metropolitan Magistrate, Calcutta for withdrawal of three cases being Case No. C-1528 of 2008, C-19913 of 2008 and C-6953 of 2009 from the respective courts and transfer those cases to one court competent to try such cases. The aforesaid application was registered as Miscellaneous case No. 31 of 2011. Upon consideration the learned Chief Metropolitan Magistrate, Calcutta dismissed the aforesaid Miscellaneous case.

Being aggrieved by and dissatisfied with the said order, the petitioner has preferred the present revisional application.

It is found from the impugned order that all the three cases relates to separate cheque and separate liability and on such ground the prayer of the petitioner under Section 410 of

the Criminal Procedure Code was dismissed. Thus there is no infirmity in the order passed by the learned Chief Metropolitan Magistrate, Calcutta and it does not call for interference.

Accordingly, the revisional application stands dismissed.

All connected applications stand disposed of.

Interim order, if any, stands vacated.

Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Bivas Pattanayak, J.)