

27.04. 2022
item No.56
n.b.
ct. no. 34

CRR 3740 of 2016

Shibu Chatterjee & Ors.
Vs.
Soma Chatterjee & Anr.

Mr. Pronobendra Nath Moitra,
Ms. Koushikee Banerjee
.....for the Petitioners

Mr. Arijit Ganguly,
Ms. Debjani Sahu,
.....for the State

Learned advocate for the petitioners submits that Mogra Police Station case no.171 of 2016 dated May 23, 2016 was initiated at the instance of the private opposite party no.1 for harassing the present petitioners who happened to be husband and in-laws of the opposite party no.1. Learned advocate submits that opposite party no.1 has been initiating multiple litigations in order to harass the present petitioners. Learned advocate also challenges the jurisdiction, where the case has been initiated. There are other issues which have been canvassed in the revisional application, which involves mixed question of facts and law. It has been informed that charge has already been framed. I am of the opinion that the petitioners would be at liberty to agitate the points canvassed in the revisional application at the stage of final arguments of the case before the learned Trial Court.

Mr. Ganguly, learned advocate, who ordinarily appears for the State, is directed to appear in this matter and represent the

State. His appointment may be regularized by the concerned authority.

As has been observed above, no interference can be made at this stage when the evidence is in progress before the learned Trial Court. The learned Trial Court would consequently considered the issues, at the final stage, if so, advised and canvassed.

Accordingly, CRR 3740 of 2016 is disposed of

All pending connected applications, if any, are consequently disposed of.

Interim order, if any, is hereby vacated.

As the case was registered in the year 2016 and the petitioners have been pursuing the case, the learned Trial Court is directed to fix regular dates on and from December 2022 and conclude the proceedings within reasonable period of time.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)