

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.83 of 2016

Christopher James Campos

Petitioner

None

Versus

1. Rosalin Christina Campos

2. Celesty Flory Campos

Opposite Parties

CORAM:

JUSTICE SAVITRI RATHO

ORDER

28.10.2022

Order No.

02.

(Through hybrid mode)

1. None appears for the petitioner when the matter is called.
2. Office note indicates that “ the CRLMC may not lie to this Court as there is provision of appeal under Section 29 of the Protection of Women from Domestic Violence Act, 2005 (in short, “the D.V. Act”)” for challenging the impugned order.
3. The order dated 28.7.2014 passed by the learned J.M.F.C., Jharsuguda in CMC No.380 of 2012 filed under Section 12 of the P.W.D.V. Act, has been challenged in this petition.
4. The case which had been filed on 08.01.2016 is listed for the first time today. More than 6 years have elapsed in the meanwhile.
5. Section 29 of the D.V. Act is extracted below :

29. Appeal.—There shall lie an appeal to the Court of Session within thirty days from the date on which the order made by the Magistrate is served on the aggrieved person or the respondent, as the case may be, whichever is later.

This application is therefore not maintainable before this Court in its present form. That apart, it has been rendered virtually infructuous due to lapse of time.

6. The CRLMC is therefore disposed of, as infructuous.
7. Urgent certified copy of this order be granted as per rules.

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(Savitri Ratho)
Judge