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30.03.2023.
b.r.
Crt. No. 236

C.R.R 202 of 2008

In the matter of : Aniruddha Uttahasinipetitioner.

Mr. Binoy Kumar Panda
Mr. Subham Bhakat
..... for the State.

This proceeding challenges the order passed by Learned Executive Magistrate, Haldia in M.P. Case No. 151 of 2003 under Section 147 of the Code of Criminal Procedure.

None appears on behalf of the petitioner.

The matter is pending for 15 years. Hence, I don't want to adjourn the case *suo motu*. Rather, I am inclined to dispose of the revisional application based on the available materials on record.

Briefly stated that the opposite party no.2 took out an application under Section 147 of the Code of Criminal Procedure before the learned Executive Magistrate, Haldia and learned Executive Magistrate after hearing both the parties and considering the evidence passed the order impugned, directing the Officer-in-Charge, Sutahata P.S. to remove the obstacle on Plot Nos. 476 and 474 of Mouza- Dhanberia.

Upon the perusal of the impugned order, I find that the the path way was in existence since the time of amicable settlement between the predecessor-in-interest of the parties,

which was apparently blocked by the opposite parties in the proceeding before the learned Executive Magistrate, who pursuant to the direction of this Hon'ble Court given in C.R.R. 660 of 2007, having considered the evidence on record, passed the order impugned.

The order in my considered opinion does not warrant any interference. Consequently, the criminal revision does not merit any consideration and is dismissed.

There will be, however, no order as to costs.

(Siddhartha Roy Chowdhury, J.)