

27-03-2023
Subha
Item no. 01
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 1004 of 2021

Nitai Charan Kuity @ Nitai Kuity @ Netai Charan Kuity
-versus-
The State of West Bengal & Anr.

Re : An application under Sections 401/482 of the Code of Criminal Procedure.

Mr. Suman De
Mr. Abhinaba Mukherjee
...for the petitioner.

Mr. Shiv Chandra Prasad
Mr. Debapriya Gupta
....for the Provident Fund Authorities.

Mr. Sudip Ghosh
Mr. Bitasok Banerjee
Mr. Apurba Kuamar Datta
...for the State.

Learned advocate for the Provident Fund Authorities submits that the Authority was responsible to appear before this court has faced a personal emergency. To that effect a Photostat copy of the medical document has been placed before this court.

Learned advocate for the Provident Fund Authorities submits that they have sent challan for verification to the State Bank of India for ascertaining regarding the payment.

It has been submitted that the Provident Fund Authorities are not in a position to deny and dispute so far as the payment which has been made and since the report was to be submitted before the High

Court, Calcutta they intended to verify the same.

The report so sought for from the Regional Provident Fund Commissioner (Legal) so far as the explanation and confirmation regarding payment with regard to the challan in respect of the amount of Rs.34,000/- are to be placed before the learned Additional Chief Judicial Magistrate, Haldia by 24th April, 2023. The learned Additional Chief Judicial Magistrate, Haldia is directed that in case such a confirmation regarding the payment in respect of the challan which has been enclosed is placed before the court, the learned Additional Chief Judicial Magistrate, Haldia would drop the proceedings so far as the G. R. Case No. 16 of 2005 arising out of Durgachak Police Station Case No. 2 of 2005 dated 4..01.2005 is concerned. The Photostat copy of the medical document submitted on behalf of the Regional Provident Fund Commissioner(Legal) be kept with the record.

Further appearance of Regional Provident Fund Commissioner(Legal) is unwarranted.

With the aforesaid observations, the revisional application being CRR 1004 of 2021 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

