

26.09.2023

Sl. No.01.

Mithun.

Ct.No.42.

CRR/1334/2023

With

**IA No: CRAN/1/2023, CRAN/2/2023, CRAN/3/2023,
CRAN/4/2023, CRAN/5/2023**

Abdul Haque @ Pocha & Anr.

Vs.

The State of West Bengal

Mr. Sabyasachi Mukherjee
Mr. Noortaj Ahmed Mallick,
Mr. Bibek Dey

...for the petitioners.

It appears from the record that Mr. Debaditya Das, Advocate filed a criminal revision being CRR No.1334 of 2023. It also appears from the record that the said criminal revision was disposed of on 18th May, 2023. Subsequently, it was noticed that in the revisional application itself, the name of the police station was wrongly recorded. Practically the petitioner prayed for production of CCTV Footage of a particular locality within a particular police station. Since the police station was wrongly recorded, direction was passed while disposing of the instant revision to the Officer-in-Charge of the said police station, wrongly recorded in the revisional application to preserve and if necessary produce before the Trial Court the CCTV Footage of the locality. Now, according to the submission made by Mr. Sabyasachi Mukherjee, learned Advocate, the petitioner requested the previous learned Advocate to take step to incorporate the correct name of the police station in the order. But the learned Advocate refused to take any step. Thereafter, the petitioner executed a Vokatnama in favour of Mr. Noortaj Ahmed Mallick, learned

Advocate to take step for such rectification. But he is not in a position to file the said Vokatnama in this record due to the reason that the previous learned Advocate on record Mr. Debaditya Das has reportedly refused to give no objection to file the Vokatnama by Mr. Ahmed Mallick.

On perusal of Section 35 of the Advocates Act and the decision of the Hon'ble Supreme Court in ***R.D.Saxena Vs. Balaram Prasad Sharma*** reported in ***2000 7 SCC 264***, this Court is satisfied that at any point of time a litigant can change his learned Advocate giving authority to represent him before the Court by a new Advocate.

In view of such circumstances, Mr. Noortaj Ahmed Mallick, learned Advocate is permitted to file Vokatnama in the instant revision.

Office is directed to accept the Vokatnama of Mr. Noortaj Ahmed Mallick.

(**Bibek Chaudhuri, J.**)