

20.01.2023

Sl. No.: 8

Court No.30
BM

CRR 1667 of 2019

Sanjay Patra

Vs.

State of West Bengal & Anr.

Mr. Dulal Dey

... for the petitioner

The present revision is against an order dated 16.04.2019 of issuance of warrant of arrest in a Misc. Execution case. The parent order in the pending Misc. Case, under Section 125 of the Cr. P.C has not been challenged. Learned counsel for the petitioner submits that the learned Magistrate may be directed to dispose of the Misc. Case under Section 125 of the Cr. P.C in accordance with law expeditiously as the pendency of the said case is causing miscarriage of justice to the petitioner/opposite party.

From the order dated 16.04.2019 of the learned Magistrate, it is seen that the execution proceeding relates to an order of interim maintenance. This is a revision of the year 2019 relating to a Misc. Execution Case of the year 2017 connected to a proceeding under Section 125 of the Cr. P.C being Misc. Case No.12 of 2015.

It is seen that the said case has not been disposed of and is pending for seven years. Considering the said fact, the revision is disposed of with a direction upon the Magistrate to make all efforts to dispose of Misc. Case

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No.12 of 2015 within three months from the date of communication of this order.

The revision being CRR 1667 of 2019 stands disposed of.

All connected application stands disposed of.

Interim order, if any, stands vacated.

Let a copy of the order be sent to the learned trial court for compliance.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Shampa Dutt (Paul), J.)