

05-06-2023
Subha
Item no.34
Ct no.37

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2362 of 2022

Sri Kamal Chowdhury @ Kamal Kumar Chowdhury
-versus-
Smt. Anjali Patra

In Re : An application under Section 482 of the Code of Criminal Procedure.

Mr. Biswajit Sau
Mr. Sohhom Sau
....for the petitioner.

The present revisional application has been preferred challenging the orders dated 02.05.2022 and 30.05.2022 passed by the learned 2nd Executive Magistrate, 2nd Court, Alipore in M. P. Case No. 2212 of 2022 under Section 144(2) of the Code of Criminal Procedure.

Having considered to the statutory restrictions in respect of the provisions under Section 144(2) of the Code of Criminal Procedure, I hold that the M. P. Case No. 2212 of 2022 is infructuous. Any order passed in the proceedings by the learned Executive Magistrate would be for the limited purpose of 60 days which have expired as on date. None of the parties would be at liberty to use such order in any other proceeding thereby claiming to have right, title and interest in respect of the said property.

The parties would be at liberty to agitate their grievance before the civil court which is the appropriate court for determination of

the issues.

With the aforesaid observations, the present revisional application being CRR 2362 of 2022 is disposed of.

Pending applications, if any, are disposed of accordingly.

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]