

04.08.2023.
Item No. 15.
Court No. 13
ap

**R.V.W. No. 151 of 2023
With
I.A. No. CAN 1 of 2023
And
I.A. No. CAN 2 of 2023
In
W.P.A. No. 655 of 2021**

**Sri Ajoy Sardar
Versus
The State of West Bengal & Ors.**

Mr. Anindya Bose,
Mr. Diptendu Mondal,
Mr. Mridul Biswas.

...For the applicant.

Mr. Lalit Mohan Mahata,
Mr. Ziaul Haque.

...For the State.

Mr. Dinendra Nath Chatterjee,
Mr. Madhusudan Mondal.

...For the respondent nos.4, 5, 6, 7 & 9.

1. Affidavit-of-service filed in Court today be taken on record.
2. Having considered the application being CAN 1 of 2023, this Court is not satisfied with the explanation of delay of 125 days in filing R.V.W. No. 151 of 2023.
3. This Court is of the view that the petitioner may avail the remedy under Section 156(3) of the Code of Criminal Procedure if the conduct of the respondents indicates or discloses any cognizable offence.
4. In that view of the matter, CAN 1 of 2023 shall stand rejected. R.V.W. No. 151 of 2023 is also therefore rejected. Consequently, CAN 2 of 2023 shall stand disposed of.

5. There will be no order as to costs.

6. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(*Rajasekhar Mantha, J.*)