

24-07-2023
Subha
Item no. 26
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2655 of 2023

Smt. Anjana Sarkar
-versus-
Sri Biswambhar Sarkar & Anr.

Mr. Prantick Ghosh
Mr. Prasad Bhattacharya
....for the petitioner.

The petitioner has challenged the proceedings before the learned Sessions Judge, Alipore, South 24 Parganas relating to Criminal Motion No. 27 of 2023.

I find that there has been an interim order on 20th January, 2023 wherein the learned Sessions Court was pleased to stay the order dated 31st October, 2022 till 1st March, 2023. The said interim order is still continuing and the revisional application is pending. Because of such pendency of the revisional application, the interim maintenance petition before the learned Judicial Magistrate, 4th court, Alipore cannot proceed.

Having considered the plight expressed by the petitioner, I direct the learned Sessions Judge or any Judge in seisin of Criminal Motion No. 27 of 2023 to dispose of the revisional application by 30th September, 2023. While disposing of the revisional application in case the learned revisional court deems it fit and proper, it would direct the learned Magistrate to dispose of the interim maintenance application in accordance with law within

a period of 60 days from the date of the communication of the order passed by the learned Sessions Judge.

With the aforesaid observations, the revisional application being CRR 2655 of 2023 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.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

[Tirthankar Ghosh, J]