

CRR 2835 of 2011

In the matter of : Tulsi Debnath

Mr. Kallol Mondal

.... For the petitioner

This lis under Section 482 of the Code of Criminal Procedure manifests the displeasure of the petitioner over the order passed by the learned Sessions Judge at Alipore on 4th July, 2011 in Criminal Appeal No. 79 of 2011 while admitting the appeal.

Mr. Kallol Mondal, leaned counsel is representing the petitioner being appointed by Calcutta High Court Legal Service Committee. From the materials available with the record it appears that the petitioner being the husband was directed to pay a sum of Rs.8,000/- to his wife Smt. Gouri Debnath under Section 12 of the Protection of Women from Domestic Violence Act and also to pay a sum of Rs.2,000/- as compensation. The petitioner being the husband challenged the order passed by the learned Judicial Magistrate, 6th Court, Alipore in the Criminal Appeal No. 79 of 2011. Notice was issued by learned Sessions Judge while admitting the appeal but no order of stay of operation of the impugned judgment was passed. In the meantime nearly 12 years have elapsed and it can be safely presumed that Criminal Appeal itself has been disposed of since there was

no stay from this Court as well. Under such circumstances, I am inclined to dispose of the application under consideration with liberty given to the petitioner to appear before the learned Sessions Judge or before the learned Judge who is in seisin of the Criminal Appeal and to have his say if the appeal is found to be pending as on date.

The criminal revision is thus disposed of.

Let a copy of the order be sent to learned Trial Court for information and necessary action.

(Siddhartha Roy Chowdhury, J.)