

04.08.2023
Serial no. 67
[G.S.D]

CRR 2806 of 2023

In the matter of : Amrik Singh

... .. Petitioner

Ms. Shreya Chakraborty

... For the Petitioner

The present revisional application has been preferred invoking the jurisdiction of this Court under Section 482 of the Cr.P.C. and Article 227 of the Constitution of India in respect of Miscellaneous Case No. 369 of 2017, which is under the provision of PWDV Act initiated at the instance of the O.P.

According to the petitioner, although the order of interim monetary relief has been passed, but the applicant is not participating in the evidence.

I have checked the orders, which is enclosed along with the present revisional application and I find that both the parties have contributed to the delay and, in fact, in the last two orders, dated 27th July, 2023 and 7th June, 2023, none of the parties participated in the proceedings.

Having considered the manner in which the proceedings are progressing, I am of the view that the present proceedings do not warrant invoking of powers of

this Court under Section 482 of the Cr.P.C. or, under Article 227 of the Constitution of India.

However, the petitioner would be at liberty to approach the Learned District and Sessions Judge under Section 29 of the PWDV Act. If, there are reasons for being aggrieved for evidence not progressing, in that case, proper steps be taken by the petitioner before the Learned Trial Court.

With the above observations, CRR 2806 of 2023 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order, duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copies of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)