

11.08.2023
Item No.23
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 2894 of 2023

In the matter of : **Sri Pintu Das** ... Petitioner.

Mr. Nonigopal Chakraborty ... For the Petitioner.

The revisional application is pending before the learned Sessions Judge, Purba Bardhaman. The prayer for stay was rejected as the learned Sessions Judge was of the opinion that there were arrears remaining in respect of the execution case. Subsequently the learned Magistrate in seisin of the execution case issued warrant of arrest. The revisional application being Criminal Revision No. 53 of 2023 is still pending. Only the stay order has been refused by the learned Sessions Judge.

Accordingly, I direct the petitioner to place, before the learned District and Sessions Judge, whole of the arrears which have been paid and whether there have been any dues or not, as the petitioner has claimed that there are no dues.

It is for the duty of the revisional court, in seisin of the matter, to consider the plea as to whether there are any arrears or dues. In case, the petitioner is able to place materials before the learned Sessions Judge instilling confidence of the learned Judge that the payment has been made, the learned revisional court would reconsider the interim order.

With the aforesaid observations, the revisional application being CRR 2894 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)