

11-10-2023
Subha
Item no. 98
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 3703 of 2023

Ram Sourav Adhikary
-versus-
Dipanwita Mukherjee nee Chatterjee

Mr. Aritra Bhattacharya
.....for the petitioner.

The revisional application has been preferred in connection with Misc. Case No. 437 of 2023 which has been preferred by invoking the provisions of P.W.D.V Act, 2005 and is presently pending before the learned Chief Judicial Magistrate, Howrah.

Learned advocate for the petitioner submits that the present petitioner is unconnected as a relation and he has been falsely implicated within the list of respondents in the case under the relevant provisions of PWDV Act.

Having considered the fact the petitioner has approached directly and invoked the jurisdiction of this court without exhausting the remedy under Section 29 of the PWDV Act before the learned Additional District and Sessions Judge, I direct the petitioner to first exhaust such remedy under Section 29 of the PWDV Act. In case there is delay in preferring such appeal, the learned appellate court would consider regarding the pendency of the revisional application before this court and take a lenient view regarding the subject matter relating to condonation of delay.

With the aforesaid observations, the present revisional application being CRR 3703 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

Department is directed to return the certified copy to the learned Advocate-on-record on the same being replaced by a Photostat copy of the same.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]