

26.09.2023

Sl. No.: 9

Court No.30

BM

CRR 3675 of 2019

Suchitra Paul

Vs.

Gopal Pal & Ors.

Mr. Sanjib Bandyopadhyay

... for the petitioner

Mr. Aniruddha Bhattacharya

Ms. Ritwika Ghosh

... for the opposite party nos.1& 3

Heard the learned counsel for the petitioner and the learned counsel for the opposite parties who submits that the present revisional application is not maintainable as no appeal has been preferred under Section 29 of the Protection of Women from Domestic Violence Act, 2005.

Learned counsel for the petitioner admits that an appeal should have been preferred against the order in an application under Section 23 of the Protection of Women from Domestic Violence Act, 2005.

Accordingly, the revisional application is dismissed as not maintainable.

Considering the fact that the petitioner was before the wrong forum pursuing his relief, the appellate court shall keep that in mind while considering the point of limitation, if the petitioner prefers an appeal under Section 29 of the Domestic Violence Act.

(Shampa Dutt (Paul), J.)