

22.3.2023
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AB
Ct. No.236

CRR 4146 of 2011

In the matter of : Nayan Ranjan Dey

Mr. Prattoy Khan
Mr. Suman Majumder
... for the petitioner

Heard Mr. Prattoy Khan, learned counsel for the petitioner.
My attention is drawn to the order dated 21st November, 2016 wherefrom it appears that, the opposite party no. 2, Arjan Ali, was reported to have been expired, by Mr. Uttiya Roy, learned counsel representing the opposite party and Mr. Roy had given undertaking before the Court to file Vakalatnama on behalf of the heirs of the deceased opposite party within a period of two days. As a matter of fact, till date no such step has been taken.

From the record of the case I find that the accused was served with notification under Section 420 of the Cr.P.C. by the learned jurisdictional Magistrate when the opposite party being the complainant has passed away. As a natural corollary, the petition of complaint, it is expected to have come to naught. In view of the matter this revisional application has become infructuous and is disposed of accordingly.

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

(Siddhartha Roy Chowdhury, J.)