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11.07.
2023

**CALCUTTA HIGH COURT CIRCUIT BENCH
AT JALPAIGURI**

CRR 179 of 2023

**Sri Manoj Kumar Gupta
Versus
State of West Bengal**

Ms. Matan Chakraborty... for the petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP.
Mr. Kallol Charjee

... for the State.

Affidavit of service filed by the petitioner be taken
on record.

This revisional application has been filed assailing
the order dated 18th May, 2023, whereby learned Judge
Special Court (Electricity Act), Jalpaiguri passed an order
which I reproduced below:

“Heard considered. Prayer is rejected”.

It is very unfortunate to come across such an order
passed by a judicial officer that too on an application on
behalf of the owner to get back vehicle seized in
connection with this case. Learned Judge ought to have
passed the judicial order assigning reason therefor.

The order assailed lacks any kind of reasoning let
alone application of judicious mind.

Thus, the order dated 18th May, 2023 stands set
aside with a direction upon the learned Judge to pass
order with reason after giving opportunity of hearing to

both the parties to this application.

Let the copy of this order be communicated to the learned Judge for information and compliance.

With the observation and direction the revisional application stands disposed of.

Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

All parties to this revisional application shall act on the server copy of this order downloaded from the official website of this Court.

(Bibhas Ranjan De, J.)