

D/L39
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C.R.R.247 of 2024

In Re: An application under Article 227 of the Constitution of India;

Raja Shaw
Versus
The State of West Bengal and others

Mr. Ujjal Ray.
...for the petitioner.

Petitioner is aggrieved by the factum of an application under Section 10 of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 being filed at the instance of the de facto complainant.

Learned advocate appearing for the petitioner submits that the learned special court unnecessarily entertained the petition which it is not entitled to do under the law.

I am of the view that such submission cannot be accepted and I direct that in case such application dated 1st August, 2022 is still pending, the present petitioner, namely, Raja Shaw would be entitled to file written objection along with the documents in his possession to contest the said application under Section 10 of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 which is pending for hearing before the learned special court.

Let the written objection be filed within a period of four weeks from date before the learned special court, provided the petition has already not been disposed of. After considering the written objection the special court would provide an audience to the present petitioner and dispose of the said application under Section

10 Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 in accordance with law.

With the aforesaid observations, CRR 247 of 2024 is disposed of.

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

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)