

02.02.2024

Item No.54

Ct.No.34

dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 263 of 2024

with

CRAN 1 of 2024

In the matter of : **Sri Shyamal Das**

... Petitioner.

Mr. Amal Krishna Samanta,

Mr. Arun Kumar Das

... For the Petitioner.

Mr. S. G. Mukherjee, Ld. P.P.,

Mr. Mirza Firoj Ahmed Begg

... For the State.

Re: CRAN 1 of 2024

(an application under Section 5 of the Limitation Act)

Learned advocate appearing for the petitioner prays for condonation of delay of 30 days in preferring this revisional application.

The reasons so assigned in the application for condonation of delay are found to be just and sufficient. Accordingly, delay is condoned. The application being CRAN 1 of 2024 is, thus, allowed.

Re: CRR 263 of 2024

The subject-matter of this revisional application relates to the order dated 03.08.2023 passed by learned Sessions Judge, South 24-Parganas, Alipore in Criminal Motion No. 207 of 2023. The principal grievance of the petitioner is that the learned Sessions Judge refused to grant stay in a revisional application preferred by the petitioner.

Having considered that the sessions court is in seisin of the revisional application and the opposite party has already entered appearance before the learned Sessions Judge as is reflected from the order dated 24.08.2023 and the case has

been transferred to the learned Additional Sessions Judge, 18th Court, Alipore, I am of the opinion that at this stage during the pendency of the lis before the learned sessions court, no interference should be made by this Court. However, the learned Additional Sessions Judge, 18th Court, Alipore is directed to dispose of the Criminal Motion No. 207 of 2023 on the next date so fixed or within sixty days thereafter.

In case the petitioner takes out any application regarding the execution proceedings before the learned Sessions Judge, the learned Sessions Judge by issuing notice to the opposite party would be at liberty to prepone the hearing of the case.

With the aforesaid observations, the revisional application being CRR 263 of 2024 is disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)