

25.04.2024

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CRA 95 of 2001

In the matter of : Swapan Kumar Sen.

.... appellant.

Mr. Sujan Chatterjee
Ms. Priyanka Chanda
Ms. Souparna Sinha

... for the respondent Nos. 2 to 4

Mr. Avishek Sinha

... for the State

Mr. Sujan Chatterjee, learned advocate files fresh vakalatnama to represent the respondent Nos. 2 to 4.

The respondent Nos. 2 and 3 are present in Court today. Their personal appearance is noted and dispensed with.

The respondent No.4 could not appear before the court being incapacitated due to certain ailments. Her personal appearance is dispensed with.

The report filed by the District Judge, South 24 Parganas mentioned that the skeleton record was instituted to be constructed on 26th December, 2023. Notice was served upon the appellant/complainant i.e Swapan Sen vide process dated 26.12.2023 be produced the documents in connection with the Case No. 589 of 1998.

The complainant/appellant appeared before the Court on 3rd January, 2024 and submitted that he did not have any document in connection with the aforesaid case and filed a

statement in writing supported by an affidavit that he was not interested to proceed with the case. The said affidavit has been annexed with the report of the District Judge, South 24 Parganas. Let the said affidavit be kept on record.

Under such circumstances, the instant appeal is dismissed for non-prosecution.

The disciplinary proceedings initiated against the Bench Clerk-I and Bench Clerk-II of the 1st Class, 1st Court, Sealdah, South 24 Parganas is to be dis-continued with the warning of the aforesaid clerks to be more careful and vigilant in future in discharging their respective duties.

Copy of the order be sent to the Department as well as learned District Judge, South 24 Parganas for immediate compliance.

(Ananya Bandyopadhyay, J.)