

D/L78
23.02.2024
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C.R.R.698 of 2024

In Re: An application under Section 401 of Code of Criminal Procedure
and read with Section 482 of the Code of Criminal Procedure;

Smt. Arpita Ganguly
Versus
Sri Niladri Ganguly and another

Mr. Abhirup Halder
Mr. Rony Mondal.

...for the petitioner.

Learned advocate appearing for the petitioner has expressed his agony as case No.AC 245 of 2022 which is under the provisions of PWDV Act, 2005 is pending for a considerable period of time and till date the interim reliefs under the said Act have not been considered by the learned Judicial Magistrate, 8th Court, Alipore. Learned advocate submits that the affidavit of assets and liabilities which was supposed to be filed on behalf of the opposite party/husband has not yet been filed and the opposite party/husband unnecessarily sought adjournment in a designed manner.

Having considered the fact that the proceedings are pending for a considerable period of time and the petitioner is without any remedy before a court of law, I direct that the next date so fixed, i.e. 5th March, 2024, if the affidavit of assets and liabilities are not filed at the instance of the husband/opposite party, the learned Magistrate would grant one week's time to file the same and thereafter by 5th April, 2024 dispose of the application under

Section 23(2) of the PWDV Act. Thereafter, the learned Magistrate would fix one date in every 60 days so that the trial of the main case can be taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, CRR 698 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.)