

15-03-2024
Subha
Item no. 43
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1066 of 2024

Nandalal Singh.
-versus-
The State of West Bengal and anr.

Mr. Anirban Dutta
Mr. Aditya Roy
....for the petitioner.

Learned advocate for the petitioner is aggrieved by the continuance of Misc. Case (D.V) No. 377 of 2021 under Section 12 read with Section 23 of the P.W.D.V Act, 2005.

Learned advocate submits that in the background of the different proceedings pending and the dispute being civil in nature malafidely the provisions of PWDV Act has been invoked. The petitioner has directly approached this court from the orders so passed by the learned ACJM, Serampore, Hooghly.

In view of the provisions of Section 29 of the PWDV Act I direct the petitioner would first exhaust his remedy under Section 29 of the PWDV Act before the learned Sessions Judge. In case an appeal is filed before the learned sessions judge, learned sessions judge would consider the issues relating to delay in view of the revisional application pending before this court.

With the aforesaid observations, the present revisional application being CRR 1066 of 2024 is disposed of.

Department is directed to return the certified copy to the

learned advocate on record of the petitioner on the same being replaced by a Photostat copy.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]