

D/L72
28.03.2024
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C.R.R.1287 of 2024

In Re: An application under Section 482 read with Section 401 of the
Code of Criminal Procedure, 1973;

Mira Mondal
Versus
Sri Profulla Mondal

Mr. Debasis Sur
Mr. Himadri Shekhar Paul
Mr. Harekrishna Halder
Mr. Mrinmoy Chatterjee.
...for the petitioner.

Petitioner has prayed for expediting the proceedings arising out of C 45 of 2020 pending before the learned Judicial Magistrate, Bongaon, 24 Parganas (North).

The case was initiated in the year 2020 but till date the petitioner is without any remedy under the relevant provisions of the PWDV Act, 2005.

Learned advocate for the petitioner submits that affidavit of assets and liabilities have been filed at the instance of the present petitioner but the husband who happens to be the only opposite party in the instant revisional application is not regularly appearing before the learned court and, as such, no affidavit of assets and liabilities have been furnished.

Considering that the case is pending since 2020 and the next date is fixed on 10th May, 2024, I direct the learned Judicial Magistrate, Bongaon, 24 Parganas (North) to grant seven days' time on 10th May, 2024 to file affidavit of assets and liabilities on behalf of the husband/opposite party. Thereafter, if the learned Magistrate

is satisfied that the husband in a designed manner is evading the process of law, in that case, the learned Magistrate would dispose of the application under Section 23(2) of the PWDV Act if the same is pending without delaying the same and dispose of the same, if required by 31st May, 2024. Thereafter, the learned Magistrate would proceed by fixing one date in a month for the trial of the case and take the same to its logical conclusion within a reasonable period of time.

With the aforesaid observations, CRR 1287 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.)