

07.05.2024
Serial no.28
Aloke
Ct. No. 30

CRR 2638 of 2022

**Smt. Doly Ghosh
Vs.
Sadhan Ghosh & Ors.**

Mr. Manjit Singh
Mr. Sk. Sahid Husain
Mr. Biswajit Mal
... for the petitioner
Mr. Prasenjit Debnath
Ms. Pritha Biswas
... for the opposite parties

The present revisional application has been preferred against an order dated April 04, 2022, passed by the learned Additional Sessions Judge, 1st Court, Hooghly Sadar at Chinsurah, in connection with Criminal Appeal No. 12/2020, filed under Section 29 of the Protection of Women from Domestic Violence Act, 2005, thereby affirming the order dated February 05, 2020, passed by the learned Judicial Magistrate, 5th Court, Hooghly Sadar at Chinsurah, in connection with Misc. Case No. 55 of 2019, thereby dismissing the petitioner's prayer for interim relief, made under Section 23 of the Protection of Women from Domestic Violence Act, 2005.

Heard the learned counsel for the petitioner and the learned counsel appearing for the opposite parties.

On hearing the parties, the present revisional application is being disposed of with the direction that the learned Magistrate will dispose of the main application under the Domestic Violence Act on hearing both sides in accordance with

law, within a period of six months by following the guidelines of the Hon'ble Apex Court in ***Rajnish vs. Neha (2021) 2 SCC 324***.

It is further submitted that as the next date is fixed in the month of August, 2024 the parties may be directed to appear on a prior date before the Trial Court.

As the learned counsel for both the parties are present, the parties are directed to appear before the Trial Court on 21st May, 2024 and the learned Magistrate shall accordingly fix the date for final hearing.

It is made clear that this Court has not gone into the merits of the present case and the learned Magistrate shall take an independent decision in the present case while disposing of the application finally.

All connected applications, if any, stand disposed of.

Interim order, if any, stands vacated.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Shampa Dutt (Paul), J.)