

27-02-2024
Subha
Item no. 38
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 4061 of 2023

Sri Mousam Banerjee
-versus-
Sangita Banerjee & Anr.

Mr. Sekhar Pal
Mr. Mobakshar Islam
.....for the petitioner.

Learned advocate for the petitioner submits that the subject matter of challenge relates to judgement and order dated 30th August, 2023 passed by the learned Judicial Magistrate, Ghatal, Pachim Medinipur in connection with Misc. Case No. 86 of 2016. The proceeding was under the provisions of PWDV Act, 2005. The petitioner should first exhaust his remedies before the learned appellate court under Section 29 of the PWDV Act. Accordingly, petitioner would be at liberty to approach the learned sessions court. The learned sessions court while admitting the appeal would take into account the period of pendency of the present revisional application before this court while considering the application for condonation of delay.

With the above observations, the present revisional application being CRR 4061 of 2023 is disposed of.

Learned advocate-on-record of the petitioner would be at liberty to approach the Department and pray for return of the

certified copy after replacing the same with the Photostat copy.

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]