

25.06.2024  
Court No.29  
Item No. 4

sg

**CRA (DB) 362 of 2023  
CRAN 1 of 2023**

Zakiruddin Sk.  
Versus  
State of West Bengal

Mr. Subhajit Chowdhury  
...for the appellant  
Mr. Debasish Roy, Id. APP  
Mr. Partha Pratim Das  
Mrs. Manasi Roy  
...for the State

1. In view of the judgment passed by a co-ordinate Bench on 19<sup>th</sup> July, 2022, affirming the judgment as passed by the learned Additional Sessions Judge, 2<sup>nd</sup> Court, Alipore, South 24-Parganas, in Special S.T. Case No. 12(11) of 2016 arising out of a Special S.T. Case No. 45 of 2016 affirming the judgment under appeal, this appeal is not maintainable.
2. The issue has already been decided by the Appellate Court. This appeal has been filed on 24<sup>th</sup> November, 2023 challenging the self-same judgment.
3. The learned Counsel for the appellant submits that the appeal is still showing as pending and by inadvertence, this appeal has been preferred.
4. The learned Registrar Listing is directed to verify the record and in the event the appeal is showing as pending, shall make necessary rectification in the record.
5. The appeal stands dismissed as not maintainable.
6. The LCR shall be returned forthwith.

**(Soumen Sen, J.)**

**(Uday Kumar, J.)**