

10.06.2025
Serial no. 6
[G.S.D]

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

CRR 136 of 2025

In the matter of : Utpal Kumar Ray

... Petitioner(s)

Mr. Utpal Kumar Ray

... petitioner-in-person

Mr. Nilay Chakraborty
Mr. Saikat Chatterjee

... for the State-respondent(s)

The petitioner has preferred this application under Section 528 of the BNSS. However, the subject-matter of the challenge relates to an order passed by a Co-ordinate Bench dated 10.01.2025 in CRR 308 of 2023.

Having considered that this court cannot enter into the merits of the order passed by a Co-ordinate Bench while exercising its revisional jurisdictional, I am of the view that there is hardly any scope for interference.

However, from the order so passed by the Hon'ble Judge, I find that the revisional application was disposed of on the ground that under the provisions of the Scheduled Castes and the Scheduled Tribes (PoA) Act, 1989 an appeal

is maintainable and revisional application is not maintainable.

Consequently, if the petitioner intends to prefer an application, he would be entitled to prefer a Memorandum of Appeal in spite of the directions passed in the present revisional application.

Mr. Chakraborty, learned advocate, appears on behalf of the State and has drawn the attention of the Court to the earlier order so passed.

In view of the direction(s) so passed, further remark(s) in respect of the present revisional application is unwarranted.

With the aforesaid observations, CRR 136 of 2025 is **dismissed.**

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

