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CRR 1335 of 2026

**Ujjivan Small Finance Bank Ltd.
Vs.
Oyasar Sekh**

Mr. Harpal Singh
Mr. Pronojit Roy
Mr. Sanjay Kumar Shaw
Mr. Saurav Kumar ...for the Petitioner

Mr. Aritra Bhattacharya
Mr. Suryudipta Bairagya ...for the Opposite party

Affidavit of service filed by the petitioner is taken on record.

In this application, the petitioner has assailed the order dated 2nd December, 2025 by which the court below had dismissed the complaint case thereby discharging the accused persons from the proceeding as the complainant/petitioner was found absent on repeated call.

Learned counsel for the opposite party raised objection contending that on three occasions, the complainant/petitioner was found absent and therefore, the court below was justified in dismissing the complaint. Accordingly, he submits that the order impugned does not call for any interference by this court invoking this court's jurisdiction under Section 482 of the Code of Criminal Procedure.

Having heard learned counsel for the petitioner and the opposite party, I find that if opportunity be given to the complainant to appear and contest by setting aside the order impugned, the highest prejudice, that may cause to opposite

party herein is that the proceeding would be disposed of on merit and nothing further.

Having heard learned counsel for the petitioner and the opposite party, the impugned order dated 2nd December, 2025 is hereby quashed on condition that the petitioner shall pay Rs. 2,000/- to the opposite party within a period of four weeks from the date of communication of the order. On such payment, the court below will restore the complaint case being no. CN/2145 of 2024 to its original file and will proceed in accordance with law without being influenced by any observations made herein.

In such view of the matter, the revisional application being CRR 1335 of 2026 is hereby disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)