

Misc Ex 165 of 2023
JO Code - WB1481

Order dated:-12/07/2024

Today the record is fixed for ER of DW.

Parties file hajira. OP makes payment of Rs 10000/-,

Money receipt of same is filed.

A petition for addition of Rs 132000/- is filed.

According to section 8(b) of Family Court Act 1984, "no magistrate shall, in relation to such area, have or exercise any jurisdiction or power under Chapter IX of the Code of Criminal Procedure, 1973 (2 of 1974), shall stand transferred to such Family Court on the date on which it is established." Family Court in Asansol, Paschim Bardhaman has come to existence on 23.02.2024, and Chapter IX of Criminal Code of Procedure 1973, consists of sections 125, 126, 127 and 128, hence, this Court has no jurisdiction to try the matter under the provision of section 128 of Cr.P.C. under which this case has been filed, unless an order is passed by the Ld. Family Court for execution of the same to this court under section 18(2) of the Act.

Hence the case is adjourned today .

To 22/08/2024 for ER of DW and app before Ld concerned court.

Dict.. & Corr. by

J.M.5th Court,
Paschim Bardhaman

J.M.5th Court,
Paschim Bardhaman