

Criminal Revision No. 20 of 2025
CNR. NO. WBBK09000226- 2025

Order No. 02
Dated 02.09.2025

Today is fixed for S/R and hearing of the petition dated : 07-07-2025 filed by the petitioners.

No S/R is received.

Ld. Advocate for the petitioners moves the instant petition, dated : 07-07-2025.

The contentions of the petitioners in short is that the petitioners filed a case under sections 163/167 of the BNSS before the court of Ld. SDEM, Khatra against the private respondents in respect to the scheduled mentioned landed property of the petitioners.

It is alleged that the Ld. SDEM court on 11-03-2025 passed an order directing to maintain status-quo in respect to the suit property. During pendency, the private respondents had put cement pillars and the concerned BL & LRO has submitted a report.

It is further alleged that on the date of hearing i.e., on 20-06-2025, the Ld. Court below was pleased to drop the case without the required proceedings by holding that the dispute is civil in nature.

It is submitted that the petitioners approached to the police authority for appropriate relief but they did not get any fruitful result therefrom.

It is alleged that the private respondents are continuously committing illegal activities in respect to the scheduled properties fo the case and they are also threatening the petitioners to face the consequences if they make any attempt to stop them.

It is also alleged that the private respondents have collected some raw materials for construction on the side of the scheduled property and they are also trying to dispossess the petitioners from the property in question by illegal means.

In the prevailing situation, the petitioners have been compelled to take the shelter of this court by filing the present revision along with the instant petition for interim relief against the respondents.

Ld. Advocate for the petitioners submits inter alia that the Ld. Court below has erroneously drop the case without appropriate proceedings and due to that order, the petitioners have been seriously prejudiced and finding no other alternative, they were compelled to file the present petition.

Considering the existing facts and circumstances fo the case, materials in the record, impugned order passed by the Ld. Court below submission advanced on behalf of the petitioners, allegation that the impugned order was passed by blatantly violating the principles of natural justice and at the same time, taking into account the spirit of justice from wider point of view, this court holds that there is reason to entertain the instant prayer of the petitioners/revisionists.

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On the other hand, if the present prayer be allowed, then neither of the parties will be prejudiced and the present purpose of justice will be sub-served.

Hence, it is

Ordered

that the petition, dated : 07-07-2025 filed on behalf of the petitioners/revisionists praying for interim protection against the impugned order, dated : 20-06-2025 passed by the court of Ld. SDEM, Khatra is allowed by staying the said order till 18-12-2025.

Both the parties are directed to maintain status-quo in regard to the nature and character of the scheduled mentioned properties till date.

To date for LCR, S/R, hearing and further order.

Dictated and Corrected by me

A.S.J
Khatra, Bankura

Additional Sessions Judge,
Khatra, Dist.- Bankura
J.O. Code WB00638