

Mat Suit 100/24
(Reg. no. 101/24)

Order no. 4

Dated: 13.08.2024

The petitioner files hazira.

Seen the return.

The service of summons upon the respondent is found satisfactory.

However, none turns up for the respondent on call till 12.30 p.m.

Let the suit is fixed for ex-parte hearing against the respondent.

The record is accordingly, taken up for ex-parte hearing.

The petitioner files his affidavit in chief.

He is accordingly, examined and discharged as PW1.

Heard the ld lawyer for the petitioner at length.

The record is accordingly, taken up for passing order.

It is the case of the petitioner, in short, like that he got married with the respondent on 21.09.2007 according to Hindu rites and ceremonies. After marriage, they started residing together as husband and wife in the house of the petitioner at PW Road Quarter, Woodland, PS- Sadar, District- Darjeeling. Their marriage was duly consummated.

It is stated that at the time of marriage the petitioner was unemployed whereas, the respondent was employed in GTA, Darjeeling. It is alleged that since the inception of their marriage the respondent used to smear the petitioner with false allegation of having extra marital affairs and she used to assassinate the character of the petitioner without any reasonability.

In the year 2012 the petitioner started living at his in-law's house at the instance of the respondent. After few months he was subjected to mental cruelty as he was made to believe that he was living at the alms of the respondent and he was felt unwanted. The respondent used to humiliate him as he had no job.

It is stated further that in the year 2016, the petitioner got a job at PWD as Group D staff and he thereafter moved at the staff quarter at Siliguri. The respondent and her inmates used to visit the petitioner in his quarter. However, in the year 2017 when the petitioner was bed ridden and needed with medical assistant, the respondent avoided him with lame excuses.

In the year 2019 they purchased a flat at Agam Singh Nagar, PS- Pradhannagar (Siliguri), District- Darjeeling and the respondent has been paying the loan amount. The petitioner has no objection if the said flat is transferred in the name of the respondent.

It is stated further that since the month of September, 2019 the petitioner found drastic changes in the habits of respondent, who started avoiding his call and if responded, she responded in a rude manner. The respondent told the petitioner

Mat Suit 100/24
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contd.....Order no. 4

Dated: 13.08.2024

that she was fed up with marital ties. In the month of July, 2020 the respondent smsed the petitioner expressing her desire to get a divorce.

The petitioner tried to reconcile the dispute but the respondent was adamant on her desire and she kept asking for a divorce until 2021 after which she completely stopped corresponding with the petitioner and his family members. The petitioner with his well wishers went to the respondent to reconcile the dispute but the respondent refused to reconcile the dispute. In this way, the petitioner has been subjected to mental cruelty and desertion by the respondent. Hence, the suit for divorce.

It appears from the record that in spite of service of summons the respondent did not care to turn up. So, she does not contest the suit. The suit is accordingly, heard ex-parte today when the petitioner is examined as PW 1.

After having consultancy with the instant petition as well as with the oral testimony so led in the suit firstly, I find that the parties got married on 21.09.2007 according to Hindu rites and ceremonies, and after marriage they started residing together as husband and wife in the house of the petitioner, which is within the jurisdiction of this Court.

It is averred and affirmed on dock by the petitioner that the respondent used to humiliate him as he had no job at the time of marriage and he was subjected to mental cruelty in the house of the parents of the respondent, where they shifted in the year 2012 simply at the instance of the respondent.

The petitioner has affirmed further that the respondent avoided him with lame excuses when he needed medical assistance and care from her in the year 2017. He has affirmed further that the respondent, since the month of September, 2019, started avoiding his call and if attended, she used to respond in rude manner. He has affirmed further that the respondent told him that she was fed up with marital tie and in the month of July, 2020, the respondent asked for divorce.

The petitioner has affirmed further that he tried to reconcile the dispute but the respondent was adamant for divorce, and the respondent ultimately stopped corresponding with him and his family members. He has affirmed further that in the year 2021, the petitioner with his well wishers went to the respondent for reconciliation but the respondent refused to restore their conjugal affairs.

In sum up, the petitioner as PW 1 has duly corroborated his own case. I do not find any reason not to believe such unchallenged case of the petitioner. It is therefore, established that the petitioner has been subjected to mental cruelty by the respondent. It is established further that the petitioner has continuously been deserted by the respondent for more than two years immediately preceding the

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contd.....Order no. 4

Dated: 13.08.2024

filing of the suit, which was filed on 12.07.2024. In my view, the petitioner has been able to substantiate his case and he is, therefore, entitled to the relief, as sought for.

Hence, it is

ORDERED

that the instant Mat suit 100 of 2024 be and the same is thus, considered and stands **allowed** ex-parte without cost.

It is hereby declared that the marriage between the petitioner namely Shri Sujit Gurung and the respondent namely Smt. Pala Thapa, solemnized on 21.09.2007 under the Hindu Marriage Act, 1955 is **dissolved** from this day of order.

Let a copy of this order be supplied to the parties at free of cost.

D/C by me,

Sd/-

ADJ, 1st Court, Dlg.

Sd/-

Addl. District Judge,
1st Court, Darjeeling

Sessions Case 67/16
(Reg. No. 190/16)

Order No. 64

Dated: 13.08.2024.

The record is put up.

The sole accused namely Animesh Thapa is brought under arrest and produced before the Court and he is remanded to J/C till next date.

A bail petition with power is filed for the accused.

Copy served.

The Id defence lawyer submits that the accused was previously on bail and there is nothing in the record to justify the detention of the accused. He prays for bail.

The Id PP in charge opposes the bail petition.

The perusal of the record indicates that the accused was though previously on bail but he has misused the liberty. Accordingly, I am not inclined to enlarge the accused on bail.

Hence, his bail petition is considered and rejected.

To date (**19.08.2024**) for production and for examination of the accused u/s 313 of CrPC.

Office to do the needful.

D/C by me,

Sd/-

ASJ, 1st Court, Dlg

Sd/-

ASJ, 1st Court, Darjeeling.

Criminal Misc Case no. 25/24
(Reg. No. 344/24)

Order no. 2

Dated: 13.08.2024

The Id lawyer for the petitioner is present.

The Id Special PP is present.

Received the CD.

Perused the CD and the other materials on record.

The Id lawyer for the accused/petitioner submits that the petitioner is in possession of the land in question since long back and there is no wrongful possession by the petitioner over the land in question.

The Id Special PP opposes the bail petition.

The close perusal of the CD and the other materials on record reveals that the petitioner purchased a portion of land in the disputed land by dint of registered deed 6552 dt. 26.11.2008 and his name has duly been mutated in the record of rights. It reveals further that the report of concerned BL&LRO, Matigara indicates that the petitioner is in possession of the land in question since 2008. Resultantly, there is no prima facie case regards to the alleged offence under the SC & ST (POA) Act. There is no materials available in the CD justifying the custodial interrogation of the petitioner.

Hence, the application u/s 438 of CrPC is considered and allowed.

Let the accused/petitioner Md. Mozibar be released on bail of Rs.3000/- in the event of his arrest to the satisfaction of the arresting officer.

Let the accused/petitioner Md. Mozibar be released on bail of Rs.3,000/- with one registered surety of like amount with necessary condition as prescribed u/s 438(2) of Cr.P.C., in the event of his arrest subject to the satisfaction of the arresting officer.

The instant Criminal Misc Case is accordingly, disposed of.

Return CD.

Let a copy of this order be sent to the concerned I/O.

Office to comply.

D/C by me,

Sd/-

Judge, Spl. Court,
Under SC & ST (POA) Act,Dlg

Sd/-
Judge, Special Court,
under SC & ST (POA) Act,
Darjeeling.

**Office of the Ld. Additional District & Sessions Judge, 1st Court
Darjeeling**

Memo No.

Dated:

Copy of order dt. 13.08.2024 forwarded to :-

1. The I/O of this case for information and compliance in connection with Matigara PS Case no. 666/2023, u/s 447 of IPC r/w Section 3(f)(g) of SC & ST (POA) Act [GR No. 26/2023].

Judge, Special Court,
under SC & ST (POA) Act Darjeeling

Spl. GR 90/21
(Reg. No. 90/21)

Order No. 32

Dated: 13.08.2024.

The accused no. 1 is represented u/s 317 of CrPC.

The accused no. 2 and 3 are present by hazira.

The accused no. 4 to 7 are represented u/s 317 of CrPC.

The ld. Special PP is present.

No witness.

The case is adjourned.

To **20.09.2024** for evidence of CSPW-3 & 6.

21.09.2024 for evidence of CSPW-9.

The prosecution to take step.

D/C by me,

Sd/-

Judge, Spl. Court,
Under SC & ST (POA) Act, Dlg

Sd/-
Judge, Special Court,
under SC & ST (POA) Act,
Darjeeling.

Sessions Case 19/22
(Reg. No. 13/22)

Order No. 33

Dated: 13.08.2024.

the sole accused is present by hazira.

The ld PP in charge is present.

No witness.

Seen the RT message.

The case is adjourned.

To **20.09.2024** for evidence of CSPW-11 & 12.

The prosecution to take step.

D/C by me,

Sd/-

ASJ, 1st Court, Dlg

Sd/-

ASJ, 1st Court, Darjeeling.

Spl. GR 87/21
(Reg. No. 87/21)

Order No. 29

Dated: 13.08.2024.

All the 03 accused are present by hazira.

The ld. Special PP is present.

No witness.

The case is adjourned.

To **12.09.2024** for evidence of CSPW-7.

The prosecution to take step.

D/C by me,

Judge, Spl. Court,
Under SC & ST (POA) Act, Dlg

Judge, Special Court,
under SC & ST (POA) Act,
Darjeeling.

Spl. GR 85/21
(Reg. No. 85/21)

Order No. 25

Dated: 13.08.2024.

All the 03 accused are present by hazira.

The ld. Special PP is present.

No witness.

The case is adjourned.

To **12.09.2024** for evidence of CSPW-7.

The prosecution to take step.

D/C by me,

Judge, Spl. Court,
Under SC & ST (POA) Act, Dlg

Judge, Special Court,
under SC & ST (POA) Act,
Darjeeling.

Spl. GR 86/21
(Reg. No. 86/21)

Order No. 25

Dated: 13.08.2024.

The Id. Special PP is present.

All the 05 accused are present by hazira.

They are accordingly, examined u/s 313 of CrPC in separate sheets, which are kept with the record.

Their defence is innocence and they decline to adduce any evidence.

Let DW stands closed.

Heard the argument for both sides at length.

The judgment shall be delivered later on the day.

D/C by me,

Judge, Spl. Court,
Under SC & ST (POA) Act, Dlg

Judge, Special Court,
under SC & ST (POA) Act,
Darjeeling.

Later-

Dated- 13.08.2024

The Id Special PP is present.

All the 05 accused are present with the Id defence lawyer.

The judgment is ready and it is pronounced in open Court in presence of the parties.

The judgment is written in six (06) separate sheets, which is kept with the record. The judgment is as follows-

“Hence, it is

ORDERED

that all the 05 (five) accused persons namely (1) **Kalipada Roy**, (2) **Poresh Roy**, (3) **Gojen Roy**, (4) **Prodip Roy** and (5) **Pramoth Singha** are found not guilty for the commission of the offence u/s 447/506/34 of IPC and u/s 3(1)(r)(s) of SC & ST (POA) Act and they are accordingly, acquitted **u/s 232 of CrPC** from the charge u/s 447/506/34 of IPC and u/s 3(1)(r)(s) of SC & ST (POA) Act.

The accused persons are discharged from their respective bail bonds.

Seized article if any, be disposed of in accordance with law.”

D/C by me,

Judge, Spl. Court,
Under SC & ST (POA) Act, Dlg

Judge, Special Court,
under SC & ST (POA) Act,
Darjeeling.

Sessions Case 18/13
(Reg. No. 224/14)

Order No. 94

Dated: 13.08.2024.

The accused no.2 viz Rajen Rai is produced from j/c and he is remanded to j/c till next date.

The ld defence lawyer is present.

The ld PP-in-charge is present.

A bail petition is filed for the accused no.2.

Copy served.

Heard.

The ld defence lawyer submits that the accused no. 2 was previously on bail and he may be enlarged on bail.

The ld PP in charge opposes the bail petition.

The close perusal of the record indicates that at the stage of argument the accused absconded for which, W/A was issued against him. Thus, it is found that the accused no. 2 misused the liberty which drags the case further for disposal. In the conspicuous, I am not inclined to enlarge the accused on bail.

Hence, the bail petition is considered and rejected.

To **02.09.2024** for production & for argument.

D/C by me,

ASJ, 1st Court, Dlg

ASJ, 1st Court, Darjeeling.

Spl. GR 1/24
(Reg. No. 3/24)

Order No. 10

Dated: 13.08.2024.

The sole accused is present by hazira.

The ld. Special PP is present.

No witness.

The case is adjourned.

To **26.09.24** for evidence of CSPW-1.

The prosecution to take step.

D/C by me,

Judge, Spl. Court,
Under SC & ST (POA) Act, Dlg

Judge, Special Court,
under SC & ST (POA) Act,
Darjeeling.

Mat Suit 86/24
(Reg. No. 87/24)

Order No. 6

Dated: 13.08.2024.

The petitioner is present by hazira.

Seen the return.

The service of summons upon the respondent is found satisfactory.

However, none turns up.

Let the suit is fixed for exparte hearing against the respondent.

To **20.08.2024** for exparte hearing of the suit.

D/C

ADJ, 1st Court, Dlg

ADJ, 1st Court, Darjeeling.

Mat Suit 75/20
(Reg. No. 78/20)

Order No. 37

Dated: 13.08.2024.

The petitioner is present by hazira.

The respondent files a petition praying for time.

Heard.

The time petition is considered and allowed.

To **05.09.2024** for DW as l/c.

D/C

ADJ, 1st Court, Dlg

ADJ, 1st Court, Darjeeling.

LA 24/2002
(Reg. No. 29/14)

Order No. 150

Dated: 12.08.2024

The parties are present by their hazira.

The witness Shri Stephen Lepcha is accordingly examined and cross-examined in full and discharged as O.P.W. 1.

The documents are marked as Exhibit A to I.

Let O.P.W. stands closed on submission of the Ld. G.P.

To **27.08.2024** for argument.

Parties to come ready.

D/C

ADJ, 1st Court, Dlg

ADJ, 1st Court, Darjeeling.

(Reg. No. 01/14)

Order No. 80

Dated: 12.08.2024.

The Dhr is present by hazira.

The Jdr files a petition praying for time.

Heard.

The time petition is considered and allowed.

To **19.08.2024** for hearing of petition dated 11.08.2015 i/d n/o.

D/C

ADJ, 1st Court, Dlg

ADJ, 1st Court, Darjeeling.

LA 03/2021
(Reg. No. 03/21)

Order No. 33

Dated: 12.08.2024

The OP/State is present by hazira.

The petitioner files a petition praying for time on the ground of absence of the ld lawyer.

Heard.

The time petition is considered and allowed.

To **21.08.2024** for OPW as spl. l/c.

No further timer shall be considered.

D/C

ADJ, 1st Court, Dlg

ADJ, 1st Court, Darjeeling.

LA 01/2021

(Reg. No. 01/21)

Order No. 30

Dated: 12.08.2024

The OP/State is present by hazira.

The petitioner files a petition praying for time on the ground of absence of the ld lawyer.

Heard.

The time petition is considered and allowed.

To **21.08.2024** for OPW as spl. l/c.

No further timer shall be considered.

D/C

ADJ, 1st Court, Dlg

ADJ, 1st Court, Darjeeling.

LA 05/2021
(Reg. No. 05/21)

Order No. 20

Dated: 12.08.2024

The OP/State is present by hazira.

The petitioner files a petition praying for time on the ground of absence of the ld lawyer.

Heard.

The time petition is considered and allowed.

To **21.08.2024** for OPW as spl. l/c.

No further timer shall be considered.

D/C

ADJ, 1st Court, Dlg

ADJ, 1st Court, Darjeeling.

Spl. Case 2/18
(Reg. No. 25/18)

Order No. 60

Dated: 12.08.2024.

The accused no. 1 to 3 & 8 are present by hazira.

The accused no.5 is represented u/s 317 of CrPC.

The accused no.7 is present by hazira.

The Id. Special PP is present with witnesses Abdullah, Imran Ali and Md. Ainul.

They are accordingly examined and cross examined in full and discharged as P.W.18,19 & 20.

Their signatures on the seizure list are marked as exhibits.

To **21.09.2024** for evidence of CSPW-12, 14 & 19.

23.09.2024 for evidence of CSPW-20, 21 & 24.

24.09.2024 for evidence of CSPW-25 to 27.

25.09.2024 for evidence of CSPW- 31 to 34.

The prosecution to take step.

D/C by me,

Judge, Spl. Court,
Darjeeling.

Judge, Special Court,
Darjeeling.

Spl. Case 3/19
(Reg. No. 38/19)

Order No. 49

Dated: 12.08.2024.

The accused no. 1 & 2 are represented u/s 317 of CrPC.

The accused no.3 is present by hazira.

The Id. Special PP is present with witness Shri Basab Ray.

He is accordingly examined and cross examined in full and discharged as P.W.1.

The written complaint is marked as Exhibit P1.

To **23.09.2024** for evidence of CSPW-2 &3.

24.09.2024 for evidence of CSPW- 4 & 5.

25.09.2024 for evidence of CSPW- 6 & 7.

The prosecution to take step.

D/C by me,

Judge, Spl. Court,
Darjeeling.

Judge, Special Court,
Darjeeling.

Mat Suit 106/24
(Reg. No. 107/24)

Order No. 4

Dated: 12.08.2024.

The petitioner is present by hazira.

She files the requisite of summons for the respondent in both ways with process fees.

Office to issue the same at once.

To **20.09.2024** for S/R and A/D.

Office to comply.

D/C

ADJ, 1st Court, Dlg

ADJ, 1st Court, Darjeeling.

Spl GR 90/21
(Reg. No. 90/21)

Order No. 31

Dated: 12.08.2024.

The accused no. 1 is represented u/s 317 of CrPC.

The accused no.2, 3 & 6 are present by hazira.

The accused no. 4 ,5 & 7 are represented u/s 317 of CrPC.

The ld. Special PP is present.
No witness.
The case is adjourned.
To date (**13.08.24**).
D/C by me,

Judge, Spl. Court,
Under SC & ST (POA) Act, Dlg

Judge, Special Court,
under SC & ST (POA) Act,
Darjeeling.

Spl GR 4/23
(Reg. No. 4/23)

Order No. 27
Dated: 20.07.2024.

Both the accused are represented u/s 317 of CrPC.
The ld Spl PP is present.

No witness.

The case is adjourned.

To 27.08.2024 for evidence of CSPW-2 to 4.

28.08.2024 for evidence of CSPW-5 to 7.

29.08.2024 for evidence of CSPW-8 & 9.

The prosecution to take step.

D/C by me,

Sd/-

Judge, Spl. Court,
Under SC & ST (POA) Act, Dlg

Sd/-
Judge, Special Court,
under SC & ST (POA) Act,
Darjeeling.

LA (Ex.) 3/99
(Reg. No. 7/14)

Order No. 232

Dated: 20.07.2024.

The jdr/State is present by hazira.

The dhr files a petition praying for time on the ground of absence of the ld lawyer.

Heard.

The time petition is considered and allowed.

To **25.07.2024** for hearing of the case as spl. l/c i.d dismissed.

D/C

ADJ, 1st Court, Dlg

ADJ, 1st Court, Darjeeling.

LA 24/02
(Reg. No. 29/14)

Order No. 149

Dated: 20.07.2024.

The OP/State is present by hazira.

The petitioner files a petition praying for time on the ground of absence of the ld lawyer.

Heard.

The time petition is considered and allowed.

To **12.08.2024** for OPW i.d argument as spl. l/c.

No further timer shall be considered.

D/C

ADJ, 1st Court, Dlg

ADJ, 1st Court, Darjeeling.

Spl Case 5/12
(Reg. No. 26/14)

Order No. 93

Dated: 19.07.2024.

The Id Special PP is present.

Seen the report dated 11.07.2024 duly forwarded by the O/C, Naxalbari PS whereby issue of fresh w/a is sought for.

Let it be kept with the record.

It appears from the record that this case was initiated upon receiving LCR from the Court of Id ACJM, Siliguri on 31.05.2012, and on the next day i.e. on 07.06.2012 w/a was issued against all the eight accused persons.

It appears further that subsequently, on 05.09.2012 it was observed by this Court that there was no order of commitment passed by the Id Court of ACJM, Siliguri while sending the case record before this Court. Accordingly, LCR was send back to the Court of Id ACJM, Siliguri to pass an order of commitment u/s 209 of CrPC after necessary compliance of the provision u/s 207 or 208 of CrPC, as the case may be, thereby fixing 18.10.2012 for awaiting LCR after commitment.

It appears that LCR along with the copy of the order dated 05.09.2012 was sent to the Court of Id ACJM, Siliguri vide memo no. 296 dated 05.09.2012.

However, it appears that in stead of disposing of the instant case, the case was went on for LCR and for execution of W/A against the accused persons, and it is found that no LCR on commitment is received by this Court till date.

It appears further that during the interregnum, this case arising out of Naxalbari PS case no. 50/2005 dated 06.05.2005 u/s 406/409 of IPC (GR No. 369/2005) has been quashed and set aside against the accused persons viz, Manish Dalmia and Sri G. G. Dalmia by the Hon'ble Court on 27.06.2019 in CRR 2098 of 2014.

It appears that this case is still languishing before this Court for execution of W/A against the rest six accused persons though by an order dated 05.09.2022 LCR is already sent back for want of order of commitment. Since LCR is sent back to the Court of Id ACJM, Siliguri for want of order of commitment and for compliance of Section 207/208 of CrPC the instant case consequently, became non est and this Court ceases its judisdiction on the case. Viewed thus, issuance of W/A against the accused persons by this Court is not called for till the contingency arises upon commitment of this case before this Court by the Court of Id ACJM, Siliguri.

In the context, the Id Special PP left the matter to the Court.

Hence, in view of order dated 05.09.2012 passed by this Court, the instant case is accordingly, disposed of.

Recall w/a against the accused persons.

Let a copy of this order be sent to the Court of Id ACJM, Siliguri for his information.

Office to do the needful.

D/C by me,

Sd/-

Judge, Spl. Court,
ASJ, 1st Court, Dlg

Sd/-
Judge, Special Court,
ASJ, 1st Court, Darjeeling.

Office of the Ld. Additional District & Sessions Judge, 1st Court Darjeeling

Memo No.

Dated : 19.07.2024

Copy of order dt. 19.07.24 forwarded to :-

1. The Id Addl. Chief Judicial Magistrate, Siliguri for information and necessary action.

Judge, Special Court
Addl. District & Sessions Judge
Darjeeling

Mat Suit 62/2020
(Reg. No. 71/2020)

Order No. 40

Dated: 19.07.2024.

The petitioner is present by hazira.

The respondent no. 1 is present by hazira.

The respondent no. 2 appears with power and files a petition praying for time for filing WS.

Heard.

The time petition is considered and allowed.

To **19.08.2024** for WS by the respondent no.2.

D/C

ADJ, 1st Court, Dlg

ADJ, 1st Court, Darjeeling.

Spl Case 2/14
(Reg. No. 1/15)

Order No. 143

Dated: 19.07.2024.

It appears from the record that due to typographical mistake the order numbers from order dated 19.10.2022 till last occasion have been stated wrongly.

The same stands rectified accordingly.

The sole accused is present by hazira.

The Id Special PP is present.

No witness.

The Id Special PP submits that he has no objection if evidence is closed.

Let PW stands closed.

To **25.07.2024** for examination of the accused u/s 313 of CrPC.

Accused to remain present.

Office to comply.

D/C by me,

Judge, Spl. Court,
ASJ, 1st Court, Dlg

Judge, Special Court,
ASJ, 1st Court, Darjeeling.

Spl Case 2/21
(Reg. No. 19/21)

Order No. 30

Dated: 19.07.2024.

The sole accused is present by hazira.

The Id Special PP is present with witness SI Himadri Sekhar Das.

He is accordingly, examined and cross examined in full and discharged as PW12.

The documents are marked as exhibits.

The Id Special PP submits that he has no objection if evidence is closed.

Let PW stands closed.

To **25.07.2024** for examination of the accused u/s 313 of CrPC.

Accused to remain present.

D/C by me,

Judge, Spl. Court,
ASJ, 1st Court, Dlg

Judge, Special Court,
ASJ, 1st Court, Darjeeling.

Spl GR 22/23
(Reg. No. 22/23)

Order No. 15

Dated: 19.07.2024.

The Id Special PP is present.

The accused Krishna Mongar is present by hazira.

No I/O report.

Seen and perused the Order dated 22.05.2024 passed in CRR 179/2024, IA No. CRAN 1/2024 by the Hon'ble Court, received by this Court on 14.06.2024.

It appears therefrom that the Hon'ble Court has been pleased to set aside and quash the instant case and to discharge the accused from his bail bond.

Hence, the instant case being quashed by the Hon'ble Court, stands disposed of accordingly.

The accused stands discharged from the case.

D/C by me,

Judge, Spl. Court,
Under SC & ST (POA) Act, Dlg

Judge, Special Court,
under SC & ST (POA) Act,
Darjeeling.

Mat Suit 46/2020
(Reg. No. 52/2020)

Order No. 39

Dated: 18.07.2024.

The parties are present by their hazira.

The respondent files the letter of appointment of her ld lawyer by the Secretary, DLSA, Darjeeling.

Let it be kept with the record.

The petitioner namely Sri Shankar Rajak is accordingly, examined and cross examined in full and discharged as PW1.

Let PW stands closed on submission of the ld lawyer for the petitioner.

To **25.07.2024** for DW.

D/C

ADJ, 1st Court, Dlg

ADJ, 1st Court, Darjeeling.

Spl GR 19/22
(Reg. No. 37/22)

Order No. 30

Dated: 18.07.2024.

The accused no. 1, 2, 4 and 5 are present by hazira.

The accused no. 3 and 7 are represented u/s 317 of CrPC.

The accused no. 6 is also represented u/s 317 of CrPC.

The ld Special PP is present.

No witness.

The case is adjourned.

To **17.08.2024** for evidence of CSPW-9.

The prosecution to take step.

D/C by me,

Judge, Spl. Court,
Under SC & ST (POA) Act, Dlg

Judge, Special Court,
under SC & ST (POA) Act,
Darjeeling.

Spl Case 7/22
(Reg. No. 8/22)

Order No. 23

Dated: 18.07.2024.

The sole accused is represented u/s 317 of CrPC.

The ld Spl PP is present.

No witness.

At this stage, the accused files a petition intimating the Court that the ld lawyer is ill copy of his discharged summery is annexed thereto.

The case is adjourned accordingly.

To **21.08.2024** for evidence of CSPW-5 &7.

22.08.2024 for evidence of CSPW-8 & 9.

The prosecution to take step.

Re-schedule accordingly.

D/C by me,

Judge, Spl. Court,
ASJ, 1st Court, Dlg

Judge, Special Court,
ASJ, 1st Court, Darjeeling.

Spl GR 20/23
(Reg. No. 19/23)

Order No. 13

Dated: 18.07.2024.

The ld Special PP is present.

The accused no. 1 and 3 are absent by petition.

The accused no. 2 is present by hazira.

They file the printed copy of advocate's letter dt. 17.07.2024, wherefrom it appears that CRR 193 of 2023 is still pending before the Hon'ble Court.

Let it be kept with the record.

No order is received from the Hon'ble Court.

The case is adjourned.

To **18.09.2024** for appearance & for awaiting order.

D/C by me,

Judge, Spl. Court,
Under SC & ST (POA) Act, Dlg

Judge, Special Court,
under SC & ST (POA) Act,
Darjeeling.

Spl GR 20/21
(Reg. No. 6/21)

Order No. 28

Dated: 18.07.2024.

The accused no. 1 is represented u/s 317 of CrPC.

The accused no. 3 is present by hazira.

The Id Spl PP is present.

No witness.

The case is adjourned.

To **16.08.2024** for evidence of CSPW-1.

The prosecution to take step.

D/C by me,

Judge, Spl. Court,
Under SC & ST (POA) Act, Dlg

Judge, Special Court,
under SC & ST (POA) Act,
Darjeeling.