

Criminal Revision No. 11 of 2026
C.N.R. No. WBJP01-001612-2026

Order No. 05, dated – 12.05.2026.

One put-up petition has been filed on behalf of the respondents for placing the record before this court.

Put-up petition is heard, considered and allowed.

Record is placed before this court on put up.

Along with put up petition, written objection has been filed on behalf of the respondents Nos.1 to 12 through their Ld. Advocate. Copy of the same has been served upon the Ld. Advocate for the revisionist/ petitioner.

Ld. Advocate, appearing on behalf of the respondents Nos.1 to 12 has contended that if the revisional application is not heard in course of this day, his client will suffer irreparable loss and substantial injury since Mela may start from tomorrow onwards encroaching the land of the respondents Nos.1 to 12 by making construction thereon. He has also contended that a report has already been submitted before the Hon'ble Court regarding non existence of Khatian No.581 in physical mode and as such the entire structure of stalls for organizing Mela has been constructed over the land under the possession of the respondents Nos.1 to 12 being Khatian No.578, plot No.353 under Mouza- Dabgram, P.S. Bhaktinagar, District- Jalpaiguri.

Ld. Advocate appearing on behalf of the revisionist/ petitioner has submitted that his Ld. senior Counsel is physically sick today and he is not in a position to attend the court and he sought for time and he has submitted the matter may be fixed date after tomorrow i.e. 14.05.2026 for hearing of the revisional application or necessary order may be passed as it deems fit and proper.

Considering the submission of the Ld. Advocate for the respective side, it appears to this court that the present revisional application is ready for hearing due to filing of written objection on behalf of the respondents Nos.1 to 12 and copy of the same has been duly served.

In view of that, this court is not inclined to keep the matter pending for hearing on the date already fixed on 03.06.2026, rather this court is inclined to prepone the date of hearing on day after tomorrow i.e. on 14.05.2026. However, till disposal of this revisional application, the interim order as passed by this court on 05.05.2026 vide order No.03, shall remain in force until further order or disposal of the revisional application, whichever is earlier.

Moreover, this court makes it clear that I.C., Bhaktinagar P.S. should remain vigilant for not to make any breach in peace and public tranquility in an around the land in question under dispute and also to look after as to whether the order as passed on 05.05.2026 shall not be violated by encroaching any portion of the land under R.S. Khatian No.578, plot No.353 under Mouza-Dabgram within the jurisdiction of P.S. Bhaktinagar, District- Jalpaiguri happens to be under the possession of the present respondents Nos.1 to 12 as they claimed in their petition Case No.616/2025 under section 164 of BNSS.

Ld. Advocate appearing for the respective side is at liberty to communicate the server generated copy of this order to the concerned party.

Fix 14.05.2026 for hearing of this revisional application.

Dictated & Corrected by me

Sessions Judge, Jalpaiguri
(WB01135)

Sessions Judge, Jalpaiguri
(WB01135)