

Misc. Case no. 53 of 2025

Order dt. 30.04.2025

Today is fixed for S/R and report.

Petitioner is present by filing hazira alongwith her Ld. Advocate.

Neither any S/R of respondent is received nor any track report with postal receipt is filed by the petitioner.

DIR is received from Protection Officer, Murshidabad. Let the same be kept with the record.

Ld. Advocate for the petitioner submitted before the Court that an order in respect of petition u/s 23 of PWDV Act may be passed ex parte and no any S/R is needed.

Heard Ld. Advocate for the petitioner.

Perused the case record.

It is settled principle of law that so far prayer of petition u/s 23 of PWDV Act is concerned, an opportunity of being heard should be given to the respondent. But it is very much strange that petitioner did not file any petition u/s 23 of PWDV Act.

**Accordingly, Petitioner is at liberty to file any petition u/s 23 of PWDV Act. She is directed to complete service of process upon the respondent positively by the next date alongwith serving the copy of petition u/s 23 of PWDV Act, if any.**

To **26.06.2025** for S/R and appearance of respondent.

D/C by me,

ACJM, 2<sup>nd</sup> court,  
Lalbagh, Murshidabad

ACJM, 2<sup>nd</sup> court,  
Lalbagh, Murshidabad