

Criminal Revision 263/2023

Present: Sushmita Mukerji, ADJ 2nd Court, Barasat

JO Code WB00864

Order no.3 dated 8.9.2023

The instant criminal revisional application has been filed against the order dated 11.08.2023 passed by Ld. SDEM, Barrackpur in M.P.Case no. 125 of 2023.

Ld. Advocate for the revisionist moves the application for stay

Heard Ld. Advocate for the revisionist.

Issue notice upon the respondent for filing show cause within 15 days from the date of the receive of this notice as to why the revisional application shall not be allowed.

Perused the petition, the grounds for revisional application as stated in the petition for assailing the impugned order passed by Ld. SDEM, Barrackpore. The revisionist appears to be owner of a portion of the plot in question. Learned lawyer refers to the order of the Hon'ble High Court in W.P 11724 of 2023 and submits that although the Opposite party contested before the Hon'ble Court yet there is no disclosure of the order of Hon'ble Court and the pending civil suits between the parties before the Ld. SDEM, Barrackpore. There is an urgency for staying the operation of the impugned order which accordingly shows that Ld. SDEM, Barrackpore did not ascertain any chances for breach of peace but passed the impugned order without the notice to the opposite party / revisionist.

Thus, the impugned order dated 11.08.2023 passed by Ld. SDEM, Barrackpore be stayed till the next date.

Call for LCR.

The requisite if any already put in.

Fix 03.10.2023 for S/R and LCR.

D/c by me

Additional District Judge
Barasat, North 24 Parganas