

CEX Case no. 28/2022

Order dt. 17.04.2023

Today is fixed for payment.

Petitioner files hazira. OP by filing a petition intimates that the Ld. District Judge, Barasat was pleased to stay the operation of impugned order passed against this OP.

None move for the OP on repeated calls.

By filing a petition petitioner prays to issue WA against the OP submitting that the stay itself was conditional subject to payment of Rs. 20,000/- per month by the OP. But the said order has not been complied by the OP and no payment has ben made in terms of the said stay order. Hence the prayer to issue warrant to enforce the said payment.

Perused the case record. Including the order sheet passed in Crl. Appl No. 74/2022.

Having heard the petitioner and considering the attending circumstances I am of the view this court being an inferior Court is not in a position to vacate the stay order passed by Ld. District Judge, Barasat in Crl. Appl No. 74/2022.

Accordingly prayer for issuing WA is refused being the operation of the impugned order dtd. 23.08.2022 passed in C. Case No. 384/2020 has been stayed in Crl. Appl No. 74/2022.

Fix 18.05.2023 for payment and further order.

D/C by me;

Judicial Magistrate,
Bidhannagar