

**In the Court of the Additional District & Sessions Judge,
Fast Track Court – I,
Basirhat, Dist.- North 24 Parganas**

Present

Shri Pradip Kumar Adhikary, WBJS,
J O Code (UID No.) - WB916,
Additional District & Sessions Judge,
Fast Track Court – I,
Basirhat, Dist.- North 24 Parganas.

**CNR No.- WBNP 1000 0043 2020
SC No.- 02 of 2020
(Registration Number)**

**State
v.
Azharuddin Sheikh**

Order No.- 15
09/10/2023

Today is fixed for appearance of the accused as well as prosecution.

Neither any steps is taken by any of the parties nor any Ld. Advocate(s) of any parties is/are found present.

This Court was facing boycott by the Basirhat Criminal Court Bar Association on and from **10/04/2023** for the reasons not communicated to the Court by the concerned Bar Association since after an untoward incident happened in the afternoon of **06/04/2023**.

Unfortunately the Ld. Public Prosecutors, being appointees of the State as well as carrying a primary position and having very important role to play in the administration of justice; particularly in criminal justice system, had joined the chorus.

On **20/07/2023** the main gate of the Basirhat Court was blocked, official cars of the Judicial Officers when they were coming to the Court in the morning were restrained, they were compelled to get down from their respective cars during heavy rain, they were constrained to go their respective Courts on foot. The Ld. Advocates were continuously raising shouting and slogans particularly against the Presiding Officer of this Court. All the members of the staff as well as personal security officers (PSOs) of the Judicial Officers were restrained; they were not allowed to enter the Court premises. Subsequently, at the intervention of the Ld. District Judge, North 24 Parganas as well as the Ld. Registrar, North 24 Parganas at around 2-00 PM the members of the staff and PSOs were permitted to enter the Court premises.

On and from **26/07/2023** civic volunteers, litigants and accused persons were also not being permitted / allowed to attend/enter/appear/produce before the Court.

On and from **16/08/2023** again except the Presiding Officer of this Court and his PSO no members of the staffs of this Court were being permitted / allowed to attend/enter this Court. The matter has duly been intimated to the Ld. District Judge, North 24 Parganas.

On **28/08/2023** and **29/08/2023** the regular PO of this Court was on leave-on-duty. From the Daily Register of Petition, etc. and Court-fees dated 28/08/2023 and 29/08/2023 of this Court it appears that on 28/08/2023 in ten (10) cases and on 29/08/2023 in eighteen (18) cases put up petitions were filed and accordingly orders were passed in those cases. But no order has been passed in any other case records fixed for those two days. Neither any daily proceeding has been done nor any order has been uploaded in the CIS. Neither the diary nor the cause list has been entered with the case details.

On **19/09/2023** at about 12-30 PM members of the staffs of this Court were permitted / allowed to attend/enter this Court.

In lifting the boycott of this Court on 03/10/2023 Basirhat Criminal Court Bar Association made a correspondence vide Ref. no.- 296/23 dated 30/09/2023 stating that

“ . . . due to untoward incident, most of the lawyers, Law clerks and litigants might not be able to attend before your Honour’s Court on & from 06/04/2023. On that situation we are could not provide any information to the litigants, regarding their case/cases which has been pending before your Honours Court.

Accordingly, it is requested that you consider the matter sympathetically and to see no adverse order/orders be passed so that none of the party/parties would suffer in any case/cases for taking no steps/steps for his/her/their case/cases fixed till before Puja vacation i.e. 19/10/2023 and oblige.”

Moreover, both the Bar Associations resolved that no steps will be taken / all works will not be represented on 07/10/2023 and 09/10/2023 on account of sad, unexpected and heart breaking sudden demise of Ld. Advocate Shri Shubharajit Bhattacharyya.

None appeared for conducting prosecution of the case.

The District Magistrate, North 24 Parganas is requested to appoint a Public Prosecutor or Additional Public Prosecutor for conduct of prosecution of the case in consultation with the Ld. Sessions Judge, North 24 Parganas.

To 08/07/2024 for appearance of the accused on Court bail and appointment of the Public Prosecutor / Additional Public Prosecutor in-charge of the case.

Let a copy of this order be sent to the District Magistrate, North 24 Parganas for compliance.

Typed by me

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