

**S.T.01(01)2011**

Order no.38 dated 06-07-2024

Record is put up by petition.

The petitioner Subhra Pal has filed a petition praying for taking custody of some articles which were seized in connection with this case. A Vakalatnama has been filed along with the petition.

Let it be kept with the record.

To 08-07-2024 for hearing.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Order no.39 dated 08-07-2024

Record is taken up for hearing.

The petition filed by the petitioner Subhra Pal on the last occasion.

Heard Ld advocate for the petitioner in part.

Ld advocate for the petitioner today prayed for time to conduct further hearing.

Prayer is allowed.

The hearing may be conducted on any subsequent day on which the record shall be put up on the prayer of the petitioner.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.01(11)2016 CIS 204 of 2016**  
**CNR WBSP04-000239-2016**  
**J.O Code :- WB00993**

Order no.54 dated 08-07-2024

Today is fixed for taking evidence.

Sole accused on court bail is present by filing hazira.

One witness Dr. Debasish Saha has appeared today.

He is examined as P.W.8 and is released after cross-examination.

During examination of the witness, a report prepared by the witness on 09-03-2015 is marked as Ext.4. Label of FSL is marked as Mat Ext.I. Signature of witness over the label affixed to the steel glass is marked as Ext.5.

To 06-09-2024 for taking evidence of rest witnesses.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.02(03)2020 CIS 30 of 2020**  
**CNR WBSP04-000178-2018**  
**J.O Code :- WB00993**

Order no.25 dated 08-07-2024

Today is fixed for taking evidence.

Out of five accused persons on court bail, two are present by filing hazira. Rest three accused persons are absent in respect of whom a petition u/sec 317 Cr.P.C. has been filed. The prayer is considered and allowed.

No witness has turned up today.

Ld P.P in-charge is requested to ensure the attendance of C.S.W.s 2 and 3 on the next date.

To 09-09-2024 for taking evidence.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.C.49(08)2023 CIS 111 of 2023**  
**CNR WBSP04-000592-2023**  
J.O Code :- WB00993

Order no.6 dated 08-07-2024

Today is fixed for E/R of W/A of accused Bijoy Halder and appearance of rest accused persons.

Rest three accused persons on court bail are present by filing hazira.

E/R of W/A in respect of accused Bijoy Halder is received from Jibantala P.S. It has been reported that the accused could not be found at his residence and he has absconded. A prayer has been made for issuing an order of proclamation against the accused.

Heard Ld P.P in-charge and Ld advocate for the rest accused persons.

Ld advocate for the accused persons today submitted that presently the accused Bijoy Halder is not residing within jurisdiction of P.S. Jibantala. He is presently residing within jurisdiction of Canning P.S. One of the accused persons namely Swapna Halder who is the wife of the accused Bijoy Halder has sweret an affidavit to this effect and has provided the present residential address of the accused. Ld advocate submitted that if the arrest warrant is sent to this address for execution, the accused can be found.

Ld P.P. in-charge did not raise objection.

After hearing both sides and on considering the affidavit, at this stage I am inclined to allow the prayer.

Let a fresh arrest warrant against the accused Bijoy Halder be now sent for execution to the address provided in the affidavit.

O.C. Canning P.S. shall execute the arrest warrant.

To 21-08-2024 for E/R of W/A and appearance.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**CRL Motion 502 of 2023 CIS 06 of 2024**  
**CNR WBSP04-000041-2024**  
**J.O Code :- WB00993**

Order no.4 dated 08-07-2024

Today is fixed for appearance.

Both sides filed respective haziras.

Petitioner has filed a petition praying for extension of interim order of stay. The prayer is allowed. Interim order of stay stands extended till next date.

Call for LCR.

Accordingly fix 31-07-2024 for receipt of LCR and hearing.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**CRL Motion 501 of 2023 CIS 07 of 2024**  
**CNR WBSP04-000043-2024**  
**J.O Code :- WB00993**

Order no.4 dated 08-07-2024

Today is fixed for appearance.

Both sides filed respective haziras.

Petitioner has filed a petition praying for extension of interim order of stay. The prayer is allowed. Interim order of stay stands extended till next date.

Call for LCR.

Accordingly fix 31-07-2024 for receipt of LCR and hearing.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**CRL Appeal 05 of 2024 CIS 08 of 2024**  
**CNR WBSP04-000**  
**J.O Code :- WB00993**

Order no.3 dated 08-07-2024

Today is fixed for receipt of LCR.

LCR is received.

Both sides filed respective haziras.

P.P appointment is done.

Ld advocate for the appellant filed a petition praying for extension of interim order of stay. Photocopy of money receipt of Rs.5000/- has been filed. Accordingly, interim order of stands extended till next date.

Fix 17-08-2024 for hearing.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.C.42(02)2023 CIS 30 of 2023**  
**CNR WBSP04-000145-2023**  
J.O Code :- WB00993

Order no.8 dated 08-07-2024

Today is fixed for consideration of charge.

All the three accused persons on court bail, are present by filing hazira.

Ld P.P in-charge and Ld defence counsel are present.

Ld P.P in-charge today made oral submission and prayed for some time to prepare himself for charge hearing.

The prayer of the prosecution is considered and allowed.

To 02-09-2024 for charge hearing.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.01(05)2022 CIS 27 of 2022**  
**CNR WBSP04-000119-2023**  
**J.O Code :- WB00993**

Order no.11 dated 08-07-2024

Today is fixed for taking evidence.  
Both the accused persons on court bail, are present by filing hazira.  
No witness has turned up today.  
Service return of summons in respect of witness Arup Manna is received as served.  
The witness has not appeared today.  
Issue WWA of Rs.1000/- against the witness.  
S/R of summons in respect of S.I Sudip Maity is received as served.  
The witness has prayed for further time.  
The prayer is allowed.  
Issue summons upon the I/O.  
Ld P.P in-charge is requested to ensure appearance of the witness on the next date.  
To 02-09-2024 for evidence.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**MACC 03 of 2018 CIS 06 of 2018**  
**CNR WBSP04-000044-2018**  
**J.O Code :- WB00993**

Order no.39 dated 06-07-2024

Today is fixed for taking evidence.

Both sides file hazira. A petition is filed today on behalf of the claimant praying for time to adduce evidence.

Prayer is considered and allowed.

To 17-09-2024 for evidence.

D/C by me.

Judge, M.A.C Tribunal,

ADJ, 8th F.T.C, Alipore.

**MACC 31 of 2017 CIS 111 of 2017**  
**CNR WBSP04-000623-2017**  
**J.O Code :- WB00993**

Order no.42 dated 06-07-2024

Today is fixed for filing of W/S by O.P.No.2 and for hearing of the petition dated 19-04-2022.

Claimant is absent without steps. Ld advocate for O.P.No.2/Insurance Company has prayed for time to file W/S. The prayer is considered and allowed.

To 07-09-2024 for filing of W/S by O.P.No.2 and for hearing of the petition dated 19-04-2022.

D/C by me.

Judge, M.A.C Tribunal,

ADJ, 8th F.T.C, Alipore.

**S.C.42(02)2024 CIS 33 of 2024**  
**CNR WBSP04-000107-2024**  
J.O Code :- WB00993

Order no.3 dated 06-07-2024

Today is fixed for appearance.

Out of 9 accused persons on court bail, six are present by filing hazira. Three accused persons are absent in respect of a petition praying for an adjournment has been filed.

Prayer for adjournment is allowed.

P.P appointment has not yet been done.

Ld Chief P.P Alipore is requested to appoint P.P in-charge for conducting this case.

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

To 23-08-2024 for appointment of P.P in-charge.

D/C by me.

Sd/  
Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Memo no.....dated.....

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**Arb Execution No.640 of 2023**

**CIS 107 of 2023**

**CNR WBSP04-000652-2023**

Order No.5 dated 06-07-2024

Today is fixed for appearance.

The decree holder is duly represented by filing hazira. Ld Lawyer for the decree holder is present.

Ld lawyer for the decree holder submits that the petitioner/decreed holder has filed this case against the judgment debtor for money execution and the decree holder did not file any execution in India regarding the concerned award and also that judgment debtor has not preferred any appeal or any application u/sec 34 of Arbitration & Conciliation Act 1996 for setting aside the award dated 17-01-2022, in accordance with order 21 rule 22 C.P.C and that being so, the award has become decree as per law of the time being in force.

Accordingly Ld advocate for the decree holder has prayed for issuance of writ of attachment for satisfaction of the arbitration award order.

Instant execution case has been filed under section 36 of the Arbitration and Conciliation Act 1996 read with Order XXI Rule 10 of the Code of Civil Procedure, seeking enforcement and execution of the arbitral award against the Judgment Debtor.

It is the settled position of law that section 36 of the arbitration and conciliation Act 1996 stipulates that the award shall be enforced under the Code of Civil Procedure 1908 in the same manner as if it were a decree of the Court.

Hon'ble Supreme Court in Sundaram Finance vs Abdul Samad, reported in 2018 (3) SCC 622 analyzed various provisions of CPC and Arbitration Act and then it observed that award is executed as a decree by way of fiction as if no decree was passed by that court and that the enforcement mechanism is akin to the enforcement of a decree though award itself is not a decree of Civil Court, as no decree whatsoever is passed by the Civil Court and also that, execution proceedings can be straightway filed in the court where the judgment Debtor's assets are located.

The decree holder of the instant case has invoked such option and has prayed for execution of the award as money decree.

In the instant case, the relevant provision of execution of a money decree would apply.

Order XXI Rule 30 of the CPC 1908 provides that " Every decree for the payment of money, including a decree for the payment of money as the alternative to some other relief, may be executed by the detention in the civil prison of the judgment-debtor, or by the attachment and sale of his property, or by both"

As mentioned above in this execution proceeding the decree holder has sought for execution of the award as a money decree and has prayed for passing necessary order directing the judgment/debtor to file affidavit of assets of the belongings before this court, stating the particulars of the assets and properties available for satisfaction of the decree by way of attachment and sale of the properties of the judgment debtor, as described in the

**Arb Execution No.640 of 2023**

**Continued Order No.5 dated 16-12-2023**

execution petition and in the process judgment debtor/s may be directed to appear before this court to be orally examined on oath regarding the respective assets.

Order XXI Rule 41 of the Code of Civil Procedure provides for examination of the judgment debtor. The above mentioned provision runs as follows:- Examination of judgment debtor as to his property (1) where a decree is for the payment of money, the decree holder may apply to the court for an order that-

- (a) The judgment-debtor, or
- (b) Where the judgment debtor is a corporation, any officer thereof, or
- (c) any other person, be orally examined as to whether any or what debts are owing to the judgment debtor and whether the judgment debtor has any and what other property or means of satisfying the decree; and the Court may make an order for the attendance and examination of such judgment-debtor, or officer or other person and for the production of any books or documents.

It has been mentioned in proviso (2) that where the judgment-debtor is a corporation, any officer thereof, to make an affidavit stating the particulars of the assets of the judgment-debtor.

- (3) In case of disobedience of any order made under sub-rule (2), the court making the order, or any court to which the proceeding is transferred, may direct that the person disobeying the order be detained in the civil prison for a term not exceeding three months unless before the expiry of such term the court directs his release.”

In this case it appears that the decree holder has categorically prayed for direction upon the judgment-debtor to file his affidavit stating the particulars of his assets. Thus, the prayer of the decree holder is in consonance with Order XXI Rule 41 of the Code of Civil Procedure.

This being the circumstance, I am of the view that prior to issuance of writ as per prayer of the decree-holder, notice of the instant execution proceedings be issued upon the judgment debtor so that the arbitral award can be effectively executed and if needed the judgment debtor may be directed to disclose his list of assets.

Accordingly, issue notice upon the judgment debtor. The prayer of the decree holder for issuing writ in c/w the instant execution petition will be considered subject to the circumstances after issuance of notice.

To 18-09-2024 for S/R of notice.

Decree holder is directed to put requisite at once.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

**Arb Execution No.641 of 2023**

**CIS 105 of 2023**

**CNR WBSP04-000656-2023**

Order No.5 dated 06-07-2024

Today is fixed for appearance.

The decree holder is duly represented by filing hazira. Ld Lawyer for the decree holder is present.

Ld lawyer for the decree holder submits that the petitioner/decreed holder has filed this case against the judgment debtor for money execution and the decree holder did not file any execution in India regarding the concerned award and also that judgment debtor has not preferred any appeal or any application u/sec 34 of Arbitration & Conciliation Act 1996 for setting aside the award dated 18-04-2022, in accordance with order 21 rule 22 C.P.C and that being so, the award has become decree as per law of the time being in force.

Accordingly Ld advocate for the decree holder has prayed for issuance of writ of attachment for satisfaction of the arbitration award order.

Instant execution case has been filed under section 36 of the Arbitration and Conciliation Act 1996 read with Order XXI Rule 10 of the Code of Civil Procedure, seeking enforcement and execution of the arbitral award against the Judgment Debtor.

It is the settled position of law that section 36 of the arbitration and conciliation Act 1996 stipulates that the award shall be enforced under the Code of Civil Procedure 1908 in the same manner as if it were a decree of the Court.

Hon'ble Supreme Court in Sundaram Finance vs Abdul Samad, reported in 2018 (3) SCC 622 analyzed various provisions of CPC and Arbitration Act and then it observed that award is executed as a decree by way of fiction as if no decree was passed by that court and that the enforcement mechanism is akin to the enforcement of a decree though award itself is not a decree of Civil Court, as no decree whatsoever is passed by the Civil Court and also that, execution proceedings can be straightway filed in the court where the judgment Debtor's assets are located.

The decree holder of the instant case has invoked such option and has prayed for execution of the award as money decree.

In the instant case, the relevant provision of execution of a money decree would apply.

Order XXI Rule 30 of the CPC 1908 provides that " Every decree for the payment of money, including a decree for the payment of money as the alternative to some other relief, may be executed by the detention in the civil prison of the judgment-debtor, or by the attachment and sale of his property, or by both"

As mentioned above in this execution proceeding the decree holder has sought for execution of the award as a money decree and has prayed for passing necessary order directing the judgment/debtor to file affidavit of assets of the belongings before this court, stating the particulars of the assets and properties available for satisfaction of the decree by way of attachment and sale of the properties of the judgment debtor, as described in the

**Arb Execution No.641 of 2023**

**Continued Order No.5 dated 16-12-2023**

execution petition and in the process judgment debtor/s may be directed to appear before this court to be orally examined on oath regarding the respective assets.

Order XXI Rule 41 of the Code of Civil Procedure provides for examination of the judgment debtor. The above mentioned provision runs as follows:- Examination of judgment debtor as to his property (1) where a decree is for the payment of money, the decree holder may apply to the court for an order that-

- (a) The judgment-debtor, or
- (b) Where the judgment debtor is a corporation, any officer thereof, or
- (c) any other person, be orally examined as to whether any or what debts are owing to the judgment debtor and whether the judgment debtor has any and what other property or means of satisfying the decree; and the Court may make an order for the attendance and examination of such judgment-debtor, or officer or other person and for the production of any books or documents.

It has been mentioned in proviso (2) that where the judgment-debtor is a corporation, any officer thereof, to make an affidavit stating the particulars of the assets of the judgment-debtor.

(3) In case of disobedience of any order made under sub-rule (2), the court making the order, or any court to which the proceeding is transferred, may direct that the person disobeying the order be detained in the civil prison for a term not exceeding three months unless before the expiry of such term the court directs his release.”

In this case it appears that the decree holder has categorically prayed for direction upon the judgment-debtor to file his affidavit stating the particulars of his assets. Thus, the prayer of the decree holder is in consonance with Order XXI Rule 41 of the Code of Civil Procedure.

This being the circumstance, I am of the view that prior to issuance of writ as per prayer of the decree-holder, notice of the instant execution proceedings be issued upon the judgment debtor so that the arbitral award can be effectively executed and if needed the judgment debtor may be directed to disclose his list of assets.

Accordingly, issue notice upon the judgment debtor. The prayer of the decree holder for issuing writ in c/w the instant execution petition will be considered subject to the circumstances after issuance of notice.

To 18-09-2024 for S/R of notice.

Decree holder is directed to put requisite at once.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

**Arb Execution No.642 of 2023 CIS 106 of 2023**

**CNR WBSP04-000645-2023**

Order No.5 dated 06-07-2024

Today is fixed for appearance.

The decree holder is duly represented by filing hazira. Ld Lawyer for the decree holder is present.

Ld lawyer for the decree holder submits that the petitioner/decreed holder has filed this case against the judgment debtor for money execution and the decree holder did not file any execution in India regarding the concerned award and also that judgment debtor has not preferred any appeal or any application u/sec 34 of Arbitration & Conciliation Act 1996 for setting aside the award dated 16-12-2021, in accordance with order 21 rule 22 C.P.C and that being so, the award has become decree as per law of the time being in force.

Accordingly Ld advocate for the decree holder has prayed for issuance of writ of attachment for satisfaction of the arbitration award order.

Instant execution case has been filed under section 36 of the Arbitration and Conciliation Act 1996 read with Order XXI Rule 10 of the Code of Civil Procedure, seeking enforcement and execution of the arbitral award against the Judgment Debtor.

It is the settled position of law that section 36 of the arbitration and conciliation Act 1996 stipulates that the award shall be enforced under the Code of Civil Procedure 1908 in the same manner as if it were a decree of the Court.

Hon'ble Supreme Court in Sundaram Finance vs Abdul Samad, reported in 2018 (3) SCC 622 analyzed various provisions of CPC and Arbitration Act and then it observed that award is executed as a decree by way of fiction as if no decree was passed by that court and that the enforcement mechanism is akin to the enforcement of a decree though award itself is not a decree of Civil Court, as no decree whatsoever is passed by the Civil Court and also that, execution proceedings can be straightway filed in the court where the judgment Debtor's assets are located.

The decree holder of the instant case has invoked such option and has prayed for execution of the award as money decree.

In the instant case, the relevant provision of execution of a money decree would apply.

Order XXI Rule 30 of the CPC 1908 provides that " Every decree for the payment of money, including a decree for the payment of money as the alternative to some other relief, may be executed by the detention in the civil prison of the judgment-debtor, or by the attachment and sale of his property, or by both"

As mentioned above in this execution proceeding the decree holder has sought for execution of the award as a money decree and has prayed for passing necessary order directing the judgment/debtor to file affidavit of assets of the belongings before this court, stating the particulars of the assets and properties available for satisfaction of the decree by way of attachment and sale of the properties of the judgment debtor, as described in the

**Arb Execution No.642 of 2023**

**Continued Order No.5 dated 16-12-2023**

execution petition and in the process judgment debtor/s may be directed to appear before this court to be orally examined on oath regarding the respective assets.

Order XXI Rule 41 of the Code of Civil Procedure provides for examination of the judgment debtor. The above mentioned provision runs as follows:- Examination of judgment debtor as to his property (1) where a decree is for the payment of money, the decree holder may apply to the court for an order that-

- (a) The judgment-debtor, or
- (b) Where the judgment debtor is a corporation, any officer thereof, or
- (c) any other person, be orally examined as to whether any or what debts are owing to the judgment debtor and whether the judgment debtor has any and what other property or means of satisfying the decree; and the Court may make an order for the attendance and examination of such judgment-debtor, or officer or other person and for the production of any books or documents.

It has been mentioned in proviso (2) that where the judgment-debtor is a corporation, any officer thereof, to make an affidavit stating the particulars of the assets of the judgment-debtor.

(3) In case of disobedience of any order made under sub-rule (2), the court making the order, or any court to which the proceeding is transferred, may direct that the person disobeying the order be detained in the civil prison for a term not exceeding three months unless before the expiry of such term the court directs his release.”

In this case it appears that the decree holder has categorically prayed for direction upon the judgment-debtor to file his affidavit stating the particulars of his assets. Thus, the prayer of the decree holder is in consonance with Order XXI Rule 41 of the Code of Civil Procedure.

This being the circumstance, I am of the view that prior to issuance of writ as per prayer of the decree-holder, notice of the instant execution proceedings be issued upon the judgment debtor so that the arbitral award can be effectively executed and if needed the judgment debtor may be directed to disclose his list of assets.

Accordingly, issue notice upon the judgment debtor. The prayer of the decree holder for issuing writ in c/w the instant execution petition will be considered subject to the circumstances after issuance of notice.

To 18-09-2024 for S/R of notice.

Decree holder is directed to put requisite at once.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

J.O Code :- WB00993

Order no.3 dated 06-07-2024

Today is fixed for appearance.

All the accused persons are absent without steps.

P.P appointment has not yet been done.

Ld Chief P.P Alipore is requested to appoint P.P in-charge for conducting this case.

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

Surety/sureties are directed to produce the accused persons on the next date.

To 28-08-2024 for appearance and appointment of P.P in-charge.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.C.20(02)2020 CIS 04 of 2023**  
**CNR WBSP04-000022-2023**  
J.O Code :- WB00993

Order no.11 dated 06-07-2024

Today is fixed for consideration of charge.  
All the three accused persons, who were on court bail, are absent without steps.  
Accordingly issue W/A against the accused persons.  
To 22-08-2024 for E/R of W/A.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.01(03)2023 CIS 44 of 2019**  
**CNR WBSP04-000285-2023**  
**J.O Code :- WB00993**

Order no.11 dated 06-07-2024

Today is fixed for taking evidence.

Out of seven accused persons on court bail, five are present by filing hazira. Rest two accused persons are absent in respect of whom a petition u/sec 317 Cr.P.C has been filed. The prayer is considered and allowed.

Three witnesses have turned up today. They are examined, cross-examined and released.

Ld P.P in-charge submitted that the prosecution does not want to adduce any further evidence. No development of the prosecution case shall happen by calling the I/O for examination.

Accordingly prosecution case stands closed.

To 25-07-2024 for examination of accused persons u/sec 313 Cr.P.C.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.01(09)2018 CIS 88 of 2018**  
**CNR WBSP04-000013-2019**  
**J.O Code :- WB00993**

Order no.55 dated 06-07-2024

Today is fixed for production of sole accused and for taking further evidence of I/O.

Sole accused is produced from J/C.

Ld P.P in-charge and Ld State Defence Counsel are present.

The I/O is present.

He is further cross-examined today and is released after complete cross-examination.

All the prosecution witnesses have been examined.

Ld P.P in-charge submitted that the prosecution does not want to adduce any other oral evidence.

Accordingly the evidence stands closed.

To 19-08-2024 for examination of accused u/sec 313 Cr.P.C.

Todate for production.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.06(07)2013 CIS 305 of 2013**  
**CNR WBSP04-000122-2013**  
**J.O Code :- WB00993**

Order no.64 dated 06-07-2024

Today is fixed for E/R of WPA.

It appears from the record that WPA was directed to be issued against the accused persons but the said order has not been complied.

B.C. is directed to issue the WPA against the accused persons at once.  
To 09-09-2024 for E/R of WPA.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**Criminal Appeal 23 of 2023 R No.12 of 2023**  
**CNR WBSP04-000268-2023**  
**J.O Code :- WB00993**

Order no.10 dated 05-07-2024

Today is fixed for hearing of appeal.

The appellant is present by filing hazira.

Respondent is absent without steps.

Ld P.P in-charge is present.

Heard Ld advocate for the appellant and also Ld P.P in-charge for the respondent/State.

The appeal is heard ex parte in respect of respondent no.2.

To 2<sup>nd</sup> half for delivery of judgment.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**Later:**

It is now 2.00 p.m.

Appellant and Ld P.P in-charge are present.

Judgment is written in separate sheet containing five pages is signed and delivered in open court.

**It is ordered**

that the instant appeal be and the same is dismissed on contest but without any order as to costs.

The impugned order passed by Ld 9<sup>th</sup> J.M. Alipore on 01-12-2022 in AC 5866/2019 is hereby affirmed.

Let a copy of this judgment along with LCR be sent to the Ld. 9<sup>th</sup> J.M. Alipore at once.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.C.20(04)2024 CIS 39 of 2024**  
**CNR WBSP04-000**  
J.O Code :- WB00993

Order no.2 dated 18-06-2024

Today is fixed for appearance and further order.

Both the accused persons on court bail are absent without steps.

P.P appointment has not yet been done.

Ld Chief P.P Alipore is requested to appoint P.P in-charge for conducting this case.

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

To 08-08-2024 for appointment of P.P in-charge.

D/C by me.

Sd/  
Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Memo no.....dated.....

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.01(03)2023 CIS 44 of 2019**  
**CNR WBSP04-000285-2023**  
**J.O Code :- WB00993**

Order no.10 dated 05-07-2024

Today is fixed for taking evidence.

All the seven accused persons on court bail, are present by filing hazira.

One witness has appeared today. He is examined as P.W.4 and is released after cross-examination.

Todate.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.C.07(07)2023 CIS 100 of 2023**  
**CNR WBSP04-000430-2023**  
**J.O Code :- WB00993**

Order no.9 dated 05-07-2024

Today is fixed for consideration of charge.

The sole accused is absent. Ld advocate for the accused filed a petition and prayed for time on behalf of the absentee accused.

The prayer is considered and allowed.

Ld P.P in-charge is present.

The accused is directed to appear positively on the next date.

To 16-08-2024 for consideration of charge.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.02(09)2017 CIS 81 of 2017**  
**CNR WBSP04-000579-2017**  
**J.O Code :- WB00993**

Order no.41 dated 05-07-2024

Today is fixed for E/R and appearance.

W/A was pending against two accused persons Md. Mehabub and Krishna Prosad.

Rest accused persons who were on court bail Md. Nooralm and Sunny @ Amir Ahamed are absent without steps today.

Accordingly issue W/A against them.

B.C. is directed to issue the arrest warrants against all the four accused persons at once.

To 04-09-2024 for E/R of W/A.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**Arb Exe. 786 of 2022 CIS 06 of 2023**  
**CNR WBSP04-000030-2023**  
**J.O Code :- WB00993**

Order no.11 dated 05-07-2024

Today is fixed for S/R and appearance.  
Decree holder has filed hazira through his Ld advocate.  
Requisites of notice upon JDR is lying with the record.  
Issue the same at once.  
Fix 11-09-2024 for S/R and appearance.

D/C by me.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

**S.T.03(04)2024 CIS 31 of 2024**  
**CNR WBSP04-000415-2023**  
**J.O Code :- WB00993**

Order no.2 dated 05-07-2024

Today is fixed for taking evidence.

Both the accused persons on court bail, are present by filing hazira.

No witness has turned up today.

Ld P.P in-charge is requested to ensure the attendance of C.S.W.1 on the next date.

To 10-09-2024 for taking evidence.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.05(07)2013 CIS 298 of 2013**  
**CNR WBSP04-000116-2013**  
**J.O Code :- WB00993**

Order no.75 dated 05-07-2024

Today is fixed for taking evidence of the I/O.

Out of five accused persons on court bail, three are present by filing hazira. Rest two accused persons are absent in respect of whom a petition u/sec 317 Cr.P.C. has been filed. The prayer is considered and allowed.

Service return of summons in respect of I/O S.I. R.K. Chawhan is received as served.

The I/O has not appeared today and there is no intimation as to why he did not appear.

Under such circumstances, issue bailable witness warrant of Rs.5000/- against the I/O.

To 05-09-2024 for taking evidence of the I/O.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.08(01)2016 CIS 215 of 2016**  
**CNR WBSP04-000254-2016**  
**J.O Code :- WB00993**

Order no.54 dated 04-07-2024

Today is fixed for further order.

The sole accused has been filed for the present vide order dated 23-03-2022. Matter is adjourned.

To 21-09-2024 for further order.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.06(08)2017 CIS 73 of 2017**  
**CNR WBSP04-000539-2017**  
**J.O Code :- WB00993**

Order no.43 dated 04-07-2024

Today is fixed for taking evidence of C.S.W.1.

The sole accused is present by filing hazira.

Ld P.P in-charge is not present.

No witness has turned up today.

Ld P.P in-charge is requested to ensure attendance of the witness positively on the next date.

To 13-09-2024 for taking evidence of C.S.W.1.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.C.09(02)2024 CIS 21 of 2024**  
**CNR WBSP04-000061-2024**  
J.O Code :- WB00993

Order no.4 dated 04-07-2024

Today is fixed for appearance and appointment of P.P in-charge.

Sole accused Ratna Mondal is absent today. Ld advocate for the accused by filing a petition on behalf of the accused prayed for time. The prayer is considered and allowed.

P.P appointment has not yet been done.

Issue reminder to Ld Chief P.P Alipore to appoint P.P in-charge for conducting this case.

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

To 20-08-2024 for appointment of P.P in-charge.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.C.03(07)2023 CIS 05 of 2024**  
**CNR WBSP04-000019-2017**  
J.O Code :- WB00993

Order no.5 dated 04-07-2024

Today is fixed for consideration of charge.

Out of fourteen accused persons on court bail. Twelve are present by filing hazira. Two accused persons namely Nadim Ahamed and Lalchand Khan are absent. Ld advocate for the absentee accused persons by filing a petition prayed for time. The prayer is considered and allowed.

All the accused persons are directed to be present on the next date positively.  
To 19-08-2024 for consideration of charge.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.01(02)2021 CIS 64 of 2019**  
**CNR WBSP04-000365-2019**  
**J.O Code :- WB00993**

Order no.19 dated 04-07-2024

Today is fixed for taking further cross-examination of P.W.1.

The sole accused on court bail, is present by filing hazira.

Ld P.P in-charge and Ld defence Counsel are present.

Witness is present. She is partly cross-examined today and further cross-examination deferred on the prayer of Ld Defence Counsel.

To 04-09-2024 for taking further cross-examination of P.W.1.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.02(04)2022 CIS 26 of 2022**  
**CNR WBSP04-000049-2022**  
**J.O Code :- WB00993**

Order no.50 dated 04-07-2024

Today is fixed for taking further evidence of P.W.1.  
The sole accused on court bail, is present by filing hazira.  
The witness has not turned up today.  
Ld P.P in-charge is requested to ensure attendance of the witness on the next date.  
To 13-09-2024 for taking further evidence.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.01(08)2022 CIS 75 of 2022**  
**CNR WBSP04-000442-2022**  
**J.O Code :- WB00993**

Order no.27 dated 03-07-2024

Today is fixed for production of the sole accused Mahat Ali Molla and for taking evidence.

The sole accused is produced from J/C.

Ld P.P in-charge and Ld Defence Counsel are present.

Two witnesses namely Dr. Amal Prodhan and Constable Bimal Kumar Jana have appeared today. They are examined, cross-examined and released.

During examination of P.W.16 Dr. Amal Prodhan, original P.M. examination report is marked as Ext.6. During examination of P.W.17 Bimal Kumar Jana, signature of the witness over seizure list dated 05-03-2022 is marked as Ext.7/1 and signature over seizure list dated 22-02-2022 is marked as Ext.8/1.

Today Ld P.P in-charge filed a petition u/sec 311 Cr.P.C. Ld P.P in-charge prayed for issuing summons upon four witnesses, three of whom are seizure witnesses and one is the police officer who conducted inquest. Ld P.P in-charge submitted that these people are important witnesses for the prosecution and their examination is necessary. No objection is raised from the side of the defence.

Considering the present circumstances, prayer of the prosecution stands allowed.

To 02-08-2024 for taking evidence of the first two witnesses as per list provided in the 311 petition.

Fix 03-08-2024 for taking evidence of the other two listed witnesses as per the 311 petition.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.C.02(12)2023 CIS 148 of 2023**  
**CNR WBSP04-000752-2023**  
J.O Code :- WB00993

Order no.5 dated 03-07-2024

Today is fixed for consideration of charge.  
Both the accused persons are absent without steps.  
None appears for the accused persons on calls.  
Issue W/A against the accused persons.  
To 23-08-2024 for E/R of W/A

D/C by me.

Addl. Dist & Sessions Judge,

**S.T.03(01)2020 CIS 03 of 2020**  
**CNR WBSP04-000325-2020**  
**J.O Code :- WB00993**

Order no.26 dated 03-07-2024

Today is fixed for taking evidence.

The sole accused persons on court bail, is present by filing hazira.

Two witnesses namely Mouri Roy and Sankar Shaw have appeared today. They are examined, cross-examined and released.

To 12-09-2024 for taking evidence of C.S.W. Nos. 7 and 8.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.02(02)2014**

Order no.105 dated 03-07-2024

Today is fixed for appearance of convict Chanchal Halder.

He is present by filing hazira.

To 05-08-2024 for appearance of the convict in compliance of the order and direction passed by the Hon'ble High Court in CRA 706 of 2016 dated 15-12-2016.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.04(02)2017 CIS 43 of 2017**  
**CNR WBSP04-000245-2017**  
**J.O Code :- WB00993**

Order no.48 dated 03-07-2024

Today is fixed for appearance.

The sole accused Ganesh Patra is present by filing hazira.

Ld P.P in-charge is not present.

From the record it appears that earlier the record was posted for taking cross-examination of prosecution witnesses who have been examined-in-chief.

Ld P.P in-charge is requested produce P.W.2 for cross-examination on the next date.

To 11-09-2024 for taking evidence.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.02(08)2022 CIS 22 of 2022**  
**CNR WBSP04-000069-2022**  
**J.O Code :- WB00993**

Order no.10 dated 03-07-2024

Today is fixed for taking cross-examination of P.W.1.

The sole accused persons on court bail, is present by filing hazira.

P.W.1 Md Atahar Alam has appeared today.

He is cross-examined in part and further cross-examination is deferred on the prayer of Ld Defence Counsel.

To 05-09-2024 for taking further cross-examination of P.W.1.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.02(08)2023 CIS 41 of 2023**  
**CNR WBSP04-000213-2023**  
**J.O Code :- WB00993**

Order no.5 dated 03-07-2024

Today is fixed for taking evidence of C.S.W.1.

Sole accused is present by filing hazira.

Service return of summons upon C.S.W.1 Joydeb Mondal is received. It appears that the summons has been served upon his brother.

As the summons is served on a male member of the family after the summoinee could not be found at home, such service may be considered as proper service.

As the witness has not turned up today, issue bailable witness warrant of Rs.1000/- against C.S.W.1 Joydeb Mondal.

To 11-09-2024 for taking evidence of C.S.W.1.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**Arb Exe. 62 of 2023 CIS 18 of 2023**  
**CNR WBSP04-000082-2023**  
**J.O Code :- WB00993**

Order no.11 dated 02-07-2024

Today is fixed for S/R.

Decree holder has filed hazira.

Requisites of notice upon JDR is lying with the record.

Issue the same at once.

Fix 07-09-2024 for S/R and appearance.

D/C by me.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist Judge,

F.T.C.-VIII, Alipore.

**Arb Exe. 60 of 2023 CIS 17 of 2023**  
**CNR WBSP04-000081-2023**  
**J.O Code :- WB00993**

Order no.11 dated 02-07-2024

Today is fixed for S/R.  
Decree holder has filed hazira.  
Requisites of notice upon JDR is lying with the record.  
Issue the same at once.  
Fix 07-09-2024 for S/R and appearance.

D/C by me.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

**S.C.32(11)2022 CIS 47 of 2023**  
**CNR WBSP04-000264-2023**  
**J.O Code :- WB00993**

Order no.9 dated 02-07-2024

Today is fixed for appointment of P.P in-charge.  
All the five accused persons on court bail are absent.  
Ld advocate for the accused persons has filed a petition on behalf of the absentee accused persons. The prayer is considered and allowed.  
P.P appointment has not yet been done.  
Issue reminder to Ld Chief P.P Alipore to appoint P.P in-charge for conducting this case.  
Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.  
To 27-08-2024 for appointment of P.P in-charge.

D/C by me.

Sd/  
Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Memo no.....dated.....

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.03(03)2010 CIS 16 of 2010**  
**CNR WBSP04-000128-2010**  
**J.O Code :- WB00993**

Order no.123 dated 02-07-2024

Today is fixed for taking evidence.

Out of six accused persons on court bail, three are present by filing hazira. Rest three accused persons are absent in respect of whom a petition u/sec 317 Cr.P.C. is filed. The prayer is considered and allowed.

No witness has turned up today.

Ld P.P in-charge is requested to ensure attendance of rest witnesses on the next date.

To 09-09-2024 for taking evidence.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.06(03)2017 CIS 30 of 2017**  
**CNR WBSP04-000219-2017**  
**J.O Code :- WB00993**

Order no.55 dated 02-07-2024

Today is fixed for hearing further argument.

Sole accused on court bail, is present by filing hazira.

Ld P.P in-charge and Ld Defence Counsel are present.

Heard argument in part today.

To 30-07-2024 for further argument.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**CRL Motion 481 of 2023 CIS 26 of 2024**  
**CNR WBSP04-000**  
**J.O Code :- WB00993**

Order no.2 dated 02-07-2024

Today is fixed for appearance.

Both sides filed respective haziras.

The petitioner/revisionist has filed a petition praying for extension of the order of stay passed by Ld Sessions Judge, Alipore on 23-11-2023.

The interim stay granted stands extended till next date.

Ld advocate for the respondent has filed fresh Vakalatnama. Let it be kept with the record.

It is submitted that copy of the revisional application has not been served upon the respondent. Ld advocate prayed for a necessary order in this respect.

Considered. Petitioner is directed to serve copy of revisional application along with annexed documents upon the O.P./respondent.

P.P appointment is not done.

Ld Chief P.P Alipore is requested to appoint Ld P.P in-charge for conducting this case.

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

To 05-09-2024 for appointment of Ld P.P in-charge.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Sd/  
Addl. Dist & Sessions Judge,

F.T.C.-VIII, Alipore.

Memo no.....dated.....

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**CRL Motion 38 of 2024 CIS 27 of 2024**  
**CNR WBSP04-000**  
**J.O Code :- WB00993**

Order no.2 dated 02-07-2024

Today is fixed for appearance.

Both sides filed respective haziras.

P.P appointment is not done.

Ld Chief P.P Alipore is requested to appoint Ld P.P in-charge for conducting this case.

To 20-08-2024 for appointment of Ld P.P in-charge.

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Sd/  
Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Memo no.....dated.....

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.C.48(08)2023 CIS 110 of 2023**  
**CNR WBSP04-000594-2023**  
**J.O Code :- WB00993**

Order no.6 dated 02-07-2024

Today is fixed for consideration of charge.

The sole accused on court bail is absent.

Ld advocate for the accused has filed a petition on behalf of the accused. It is submitted that the accused is under going treatment in a Government Registered Rehabilitation Centre, due to drug addiction. Photocopies of documents have been attached.

Ld advocate for the accused accordingly prayed for time on behalf of the accused.

Ld P.P in-charge is present.

The prayer on behalf of the accused is considered and allowed.

Accused is directed to appear on the next date.

To 03-09-2024 for consideration of charge.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.01(01)2023 CIS 38 of 2022**  
**CNR WBSP04-000092-2022**  
**J.O Code :- WB00993**

Order no.9 dated 02-07-2024

Today is fixed for taking cross-examination of P.W.2.  
Both the accused persons on court bail, are present by filing hazira.  
P.W.2 Nuruddin Gazi has appeared today.  
He is cross-examined in full and is released.  
To 09-08-2024 for taking cross-examination of P.W.3.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.04(08)2023 CIS 60 of 2023**  
**CNR WBSP04-000295-2023**  
**J.O Code :- WB00993**

Order no.5 dated 02-07-2024

Today was fixed for taking evidence of C.S.W.1, Nafiza Firdous Khanan.  
The sole accused is absent in respect of whom a petition u/sec 317 cr.P.C. has been filed. The prayer is considered and allowed.  
C.S.W.1 had voluntarily appeared on the last occasion and on that date she furnished a P.R Bond for appearing on this date.  
Ld advocate for the witness today filed a petition praying for time on behalf of the witness stating that the witness could not appear today as she is suffering from fever.  
Considering such submission, the prayer for time on behalf of the witness is allowed today.  
The witness is directed to appear positively on the next date.  
To 02-09-2024 for taking evidence. .

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.02(09)2023 CIS 47 of 2022**  
**CNR WBSP04-000219-2022**  
**J.O Code :- WB00993**

Order no.7 dated 01-07-2024

Today is fixed for taking evidence of C.S.W.1.  
Sole accused is present by filing hazira.  
C.S.W.1 Nasima Ara has appeared today.  
Ld P.P in-charge is absent without steps.  
None appears for the prosecution on calls.  
In the absence of the prosecution, the evidence cannot be recorded.  
Ld P.P in-charge is directed to appear positively on the next date.  
Let the witness be redirected to appear on the next date.  
To 04-09-2024 for taking evidence of C.S.W.1.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.03(08)2022 CIS 116 of 2017**  
**CNR WBSP04-000771-2017**  
**J.O Code :- WB00993**

Order no.10 dated 01-07-2024

Today is fixed for taking evidence of C.S.W.1.

Both the accused persons on court bail, are present by filing hazira.

It appears from the record that witness warrant was issued against S.I. Pabitra Kumar Dey, Canning P.S.

B.C. is directed to issue the witness warrant at once.

To 12-09-2024 for taking evidence.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.03(05)2023 CIS 05 of 2023**  
**CNR WBSP04-000031-2023**  
**J.O Code :- WB00993**

Order no.6 dated 01-07-2024

Today is fixed for taking evidence of C.S.W.1.

All the six accused persons on court bail, are absent without steps.

None appears for the accused persons on calls.

Ld P.P in-charge is absent. None appears for the prosecution on calls.

The surety/sureties are hereby directed to produce the accused persons on the next date without fail.

Ld P.P in-charge is directed to ensure attendance of the witness on the next date.

To 03-09-2024 for taking evidence.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.03(07)2007 CIS 305 of 2007**  
**CNR WBSP04-000023-2007**  
**J.O Code :- WB00993**

Order no.177 dated 01-07-2024

Today is fixed for hearing argument.

The accused persons are present by filing hazira.

A petition has been filed today on behalf of Ld advocate for the accused persons stating that due to illness, he could not appear today. An adjournment has been accordingly prayed. Ld P.P in-charge is absent without steps.

Both sides are directed to come prepare on the next date.

Let the matter be adjourned today.

To 18-07-2024 for hearing argument.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**CRL Appeal 07 of 2022 CIS 20 of 2022**  
**CNR WBSP04-000611 of 2022**  
**J.O Code :- WB00993**

Order no.8 dated 01-07-2024

Today is fixed for hearing.  
Both sides are absent without steps.  
Ld P.P in-charge is absent.  
In the interest of justice the matter is adjourned.  
To 09-08-2024 for hearing.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.C.14(06)2023 CIS 123 of 2023**  
**CNR WBSP04-000640-2023**  
**J.O Code :- WB00993**

Order no.5 dated 01-07-2024

Today is fixed for consideration of charge.  
All the four accused persons on court bail are present by filing hazira.  
Ld P.P in-charge is absent.  
None appears for the prosecution on calls.  
Ld P.P in-charge is directed to remain present positively on the next date.  
To 21-08-2024 for consideration of charge.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**Arb Exe. 448 of 2023 CIS 69 of 2023**  
**CNR WBSP04-000418-2023**  
**J.O Code :- WB00993**

Order no.6 dated 29-06-2024

Today is fixed for S/R and appearance.  
Decree holder is absent without steps.  
Notice upon JDR has not yet been filed.  
Decree holder is directed to issue the same at once.  
Fix 05-09-2024 for S/R and appearance.

D/C by me.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

**Arb Exe. 449 of 2023 CIS 70 of 2023**  
**CNR WBSP04-000419-2023**  
**J.O Code :- WB00993**

Order no.6 dated 29-06-2024

Today is fixed for S/R and appearance.  
Decree holder is absent without steps.  
Notice upon JDR has not yet been filed.  
Decree holder is directed to issue the same at once.  
Fix 05-09-2024 for S/R and appearance.

D/C by me.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

**Arb Exe. 450 of 2023 CIS 68 of 2023**  
**CNR WBSP04-000417-2023**  
**J.O Code :- WB00993**

Order no.6 dated 29-06-2024

Today is fixed for S/R and appearance.  
Decree holder is absent without steps.  
Notice upon JDR has not yet been filed.  
Decree holder is directed to issue the same at once.  
Fix 05-09-2024 for S/R and appearance.

D/C by me.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

**MACC 08 of 2016 CIS 113 of 2016**  
**CNR WBSP04-000058-2016**  
**J.O Code :- WB00993**

Order no.53 dated 29-06-2024

Today is fixed for taking evidence.  
No steps taken by either of the parties.  
In the interest of justice the matter is adjourned.  
To 02-09-2024 for evidence.

D/C by me.

Judge, M.A.C Tribunal,  
ADJ, 8th F.T.C, Alipore.

**MACC 06 of 2017 CIS 50 of 2017**  
**CNR WBSP04-000326-2017**  
**J.O Code :- WB00993**

Order no.47 dated 29-06-2024

Today is fixed for taking steps.  
The claimant is absent without steps.  
None appears for the claimant on calls.  
The interest of justice the matter is adjourned.  
Claimant is directed to take steps positively by the next date.  
To 02-09-2024 for steps.

D/C by me.

Judge, M.A.C Tribunal,  
ADJ, 8th F.T.C, Alipore.

**CRL Appeal 141 of 2023 CIS 31 of 2023**  
**CNR WBSP04-000686 of 2023**  
**J.O Code :- WB00993**

Order no.5 dated 29-06-2024

Both sides are absent without steps.  
Ld P.P in-charge is absent.  
LCR is not yet received.  
Issue reminder for LCR.  
To 06-09-2024 for receipt of LCR and hearing.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.03(02)2020 CIS 20 of 2020**  
**CNR WBSP04-000284-2019**  
**J.O Code :- WB00993**

Order no.22 dated 29-06-2024

Today is fixed for taking evidence.

Out of three accused persons on court bail, two are present by filing hazira. Rest one accused Sushila Gupta is absent in respect of whom petition u/sec 317 Cr.P.C. has been filed. It is considered and allowed.

One witness has turned up today.

The witness Dr. Indrani Das is examined as P.W.11 and is released after cross-examination.

During examination of the witness, original P.M. report is marked as Ext.8.

Ld P.P in-charge is requested to ensure attendance of rest witnesses on the next dates.

To 11-09-2024 for taking evidence of rest C.S.W.s.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.02(04)2008 CIS 16 of 2008**  
**CNR WBSP04-000056-2008**

**J.O Code :- WB00993**

Order no.195 dated 29-06-2024

Today is fixed for examination of the accused u/sec 313 Cr.P.C.

Sole accused is present by filing hazira.

He is examined u/sec 313 CR.P.C. which is written in separate sheet and is kept with the record.

To 08-08-2024 for argument.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.04(03)2017 CIS 32 of 2017**  
**CNR WBSP04-000222-2017**  
**J.O Code :- WB00993**

Order no.43 dated 29-06-2024

Today is fixed for taking evidence.

Out of four accused persons on court bail, one accused Shyamaprasad Naskar is present by filing hazira. Rest three accused persons are absent in respect of whom petition u/sec 317 Cr.P.C. has been filed. It is considered and allowed.

No witness has turned up today.

Ld P.P in-charge is absent.

Prosecution is directed to ensure attendance of C.S.W.4 and C.S.W.5 on the next date.

To 04-09-2024 for taking evidence.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.04(03)2017 CIS 32 of 2017**  
**CNR WBSP04-000222-2017**  
**J.O Code :- WB00993**

Order no.43 dated 29-06-2024

Today is fixed for taking evidence.

Out of four accused persons on court bail, one accused Shyamaprasad Naskar is present by filing hazira. Rest three accused persons are absent in respect of whom petition u/sec 317 Cr.P.C. has been filed. It is considered and allowed.

No witness has turned up today.

Ld P.P in-charge is absent.

Prosecution is directed to ensure attendance of C.S.W.4 and C.S.W.5 on the next date.

To 04-09-2024 for taking evidence.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.01(12)2022 CIS 97 of 2022**  
**CNR WBSP04-000610-2022**  
**J.O Code :- WB00993**

Order no.15 dated 27-06-2024

Today is fixed for taking evidence.

Out of six accused persons on court bail, one is present by filing hazira. Rest five accused persons are absent in respect of whom petition u/sec 317 Cr.P.C. has been filed. It is considered and allowed.

No witness has turned up today.

Ld P.P in-charge is requested to ensure attendance of the witnesses on the next dates.

To 09-09-2024 for taking evidence of C.S.W.4 and C.S.W.7

10-09-2024 for taking evidence of C.S.W.8.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.02(04)2017 CIS 38 of 2017**  
**CNR WBSP04-000237-2017**  
**J.O Code :- WB00993**

Order no.51 dated 27-06-2024

Out of seven accused persons on court bail, one is present by filing hazira. Rest six accused persons are absent in respect of whom petition u/sec 317 Cr.P.C. has been filed. It is considered and allowed.

Seen copy of order passed by the Hon'ble High Court in CRR 4596 of 2023 dated 01-05-2024.

In compliance of the order passed by the Hon'ble Court, let the record be posted for hearing argument.

To 30-07-2024 for hearing argument.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**MACC 30 of 2017 CIS 110 of 2017**  
**CNR WBSP04-000621-2017**  
**J.O Code :- WB00993**

Order no.41 dated 27-06-2024

Ld advocate for the claimant and O.P.No.2/Insurance company are present.  
Heard both sides in respect of the petition filed by O.P.No.2 on 18-03-2024 where  
O.P.No.2 has prayed for dismissal of the instant MAC Case.  
To 23-07-2024 for order.

D/C by me.

Judge, M.A.C Tribunal,  
ADJ, 8th F.T.C, Alipore.

**CRL Motion 510 of 2023 CIS 17 of 2024**  
**CNR WBSP04-000**  
**J.O Code :- WB00993**

Order no.3 dated 27-06-2024

Today is fixed for receipt of LCR.

LCR is received.

Both sides filed respective haziras.

Ld P.P in-charge is not present.

The petitioner has filed a petition praying for extension of interim order of stay granted by Ld Sessions Judge, Alipore. The prayer is allowed. Interim order stands extended till next date.

Petitioner has filed another petition praying for an adjournment on this date.

No objection is raised by the other side.

Prayer for adjournment is allowed.

To 30-08-2024 for hearing.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**CRL Motion 120 of 2024 CIS 28 of 2024**  
**CNR WBSP04-000**  
**J.O Code :- WB00993**

Order no.2 dated 27-06-2024

Today is fixed for appearance.

The respondent has filed hazira through advocate.

Petitioner is absent without steps.

P.P. appointment is not done.

Ld Chief P.P Alipore is requested to appoint Ld P.P in-charge for conducting this case.

To 21-08-2024 for appearance.

Call for LCR.

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Sd/  
Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Memo no.....dated.....

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.04(10)2023 CIS 13 of 2021**  
**CNR WBSP04-000081-2021**  
**J.O Code :- WB00993**

Order no.4 dated 27-06-2024

Today is fixed for taking evidence of C.S.W.1.

Sole accused is present by filing hazira.

Ld P.P in-charge is present.

C.S.W.1 Bandana Chandra has appeared today.

Examination-in-chief is taken in part and deferred on the prayer of Ld P.P in-charge.

During examination of the witness, entire written compliant is marked as  
Ext.P-1/P.W.1.

To 05-09-2024 for taking further evidence of C.S.W.1.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.04(01)2010 CIS 13 of 2010**  
**CNR WBSP04-000556-2023**  
**J.O Code :- WB00993**

Order no.91 dated 27-06-2024

Today is fixed for E/R and appearance.

Out of nine accused persons are on court bail, seven accused are present by filing hazira. Two accused persons are absent in respect of whom a petition u/sec 317 Cr.P.C. has been filed. It is considered and allowed.

W/A is pending against one accused Sk. Shahbuddin.

No E/R of W/A is received from Pujali P.S.

Issue reminder.

To 24-07-2024 for E/R and appearance.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.06(03)2017 CIS 30 of 2017**  
**CNR WBSP04-000219-2017**  
**J.O Code :- WB00993**

Order no.54 dated 27-06-2024

Today is fixed for hearing argument.  
Sole accused is present and Ld P.P in-charge is present.  
Heard argument in part today.  
To 02-07-2024 for hearing further argument.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.07(02)2016 CIS 221 of 2016**  
**CNR WBSP04-000260-2016**  
**J.O Code :- WB00993**

Order no.112 dated 27-06-2024

Today is fixed for taking evidence.

All the four accused persons on court bail are absent in respect of whom a petition u/sec 317 Cr.P.C. has been filed. It is considered and allowed.

S/R of summons is received in respect of witnesses A.S.I Dipankar Das and A.S.I Tapan Khan.

None of the witnesses have turned up today.

Under such circumstances, issue bailable witness warrant of Rs.5000/- each against the two witnesses.

To 30-08-2024 for taking evidence.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**Criminal Revision.410 of 2023 R No.10 of 2024**  
**CNR WBSP04-000071-2024**  
**J.O Code :- WB00993**

Order no.6 dated 27-06-2024

Today is fixed for delivery of judgment.

Both parties filed hazira.

Judgment is written in separate sheet containing seven pages is signed and delivered in open court.

**It is ordered**

That the instant revisional application, be and the same, is hereby allowed, on contest.

The order passed by the Ld 3rd Judicial Magistrate, Alipore on 28-06-2023 in AC-2995/2022 is hereby set aside.

The Ld Trial Court shall complete the trial by recording evidence and thereafter, shall decide the case in accordance with law.

Let a copy of this judgment along with LCR be sent to Ld 3rd Judicial Magistrate, Alipore.

D/C by me.

Addl. Sessions Judge,  
F.T.C.-8, Alipore.

**Criminal Revision.412 of 2023 R No.09 of 2024**  
**CNR WBSP04-000087-2024**  
**J.O Code :- WB00993**

Order no.6 dated 27-06-2024

Today is fixed for delivery of judgment.

Both parties filed hazira.

Judgment is written in separate sheet containing seven pages is signed and delivered in open court.

**It is ordered**

That the instant revisional application, be and the same, is hereby allowed, on contest.

The order passed by the Ld 3rd Judicial Magistrate, Alipore on 28-06-2023 in AC-2994/2022 is hereby set aside.

The Ld Trial Court shall complete the trial by recording evidence and thereafter, shall decide the case in accordance with law.

Let a copy of this judgment along with LCR be sent to Ld 3rd Judicial Magistrate, Alipore.

D/C by me.

Addl. Sessions Judge,  
F.T.C.-8, Alipore.

**MACC 02 of 2021 CIS 03 of 2021**  
**CNR WBSP04-000025-2021**  
**J.O Code :- WB00993**

Order no.23 dated 27-06-2024

Both sides file respective hazira.

Today is fixed for passing order in respect of the hearing conducted on the last occasion, with regard to the petition filed by O.P.No.2/Insurance Company under order 1 rule 10 CPC on 05-12-2022.

Record is taken up for passing order.

Ld advocate for the petitioner/Insurance Company filed a petition u/o 1 rule 10 CPC for the purpose of including another party as O.P. It is the case of the Insurance Company, being O.P No.2 that the alleged accident had taken place between two vehicles. In this MAC case, the claimant has impleaded the insurance company of the offending truck bearing Registration No.OR-09K/4995. The claimant being the legal representative of the deceased driver of the vehicle bearing no.WB-04G/7786, has not impleaded the insurance company of this vehicle as an O.P.

Ld advocate for the petitioner emphasized that the alleged accident had taken place between the two vehicles due to contributory negligence of both the vehicles. For that reason, compensation if any, should be paid by both the insurance companies. It is submitted that for such reasons, the insurance company of the other vehicle, the driver of which died as a result of the accident, should be impleaded as a party.

For the purpose of showing prima facie contributory negligence on the part of both the vehicles, Ld advocate drew attention of this court to certain documents. One is the certified copy of FIR that was lodged in respect of the alleged accident. In Sl No.12 of the FIR where there is a brief description of the incident, it has been mentioned that on 10-10-2020 accident took place between a truck and a car and as a result of the accident, the driver of the car died. In the last line it is mentioned that both the vehicles were negligent in driving due to which the accident occurred.

Ld advocate then pointed out to the charge sheet/final form report. He emphasized that in point no.12 where particulars of the accused persons not charge sheeted is given, in sub clause no.XII it is mentioned as “ **accused dead** “.

Ld advocate for the petitioner submitted that from these two documents a prima facie inference can be drawn that both the vehicles were being driven negligently and the accident was a result of contributory negligence.

Ld advocate in this respect referred to a decision of the Andhra Pradesh High Court reported in 2008 (1) T.A.C. 74 (A.P) where the Hon'ble Court allowed the application u/o 1 rule 10 C.P.C. in a claim case for the purpose of impleadment of owner or Insurer of the other vehicle also involved in the alleged accident. Another decision of the Bombay High Court reported in 2007 (3) T.A.C. 719 (Bombay) has also been cited. In this case the application u/o 1 rule 10 C.P.C for impleading the driver and insurance company of the other offending vehicle was also allowed.

Ld advocate for the petitioner/ Insurance Company/O.P.No.2 submits that for the purpose of doing substantial justice, the insurance companies of both the vehicles should be made parties as the compensation should be proportionately paid by both insurance companies. But in this case only the insurance company of the offending truck has been impleaded and compensation has been claimed from the insurer of the truck. This is not proper as both the insurers are liable to pay compensation.

Ld advocate accordingly prayed for allowing the petition u/o 1 rule 10 C.P.C. so that the insurer of the car can be now be made a party to this proceeding.

Ld advocate for the claimant raised severe objection.

It is submitted on behalf of the claimant that in case of road traffic accident, even if it is found that there is any kind of contributory negligence on the part of the vehicle in which the victim was travelling, the claimant is not bound to implead the Insurance company of the said vehicle. It is solely the discretion of the claimant for the purpose of deciding as to whether he shall make any claim or not, for

**MACC 02 of 2021 CIS 03 of 2021**

**Continued Order no.23 dated 27-06-2024**

compensation, from the insurance company with which the vehicle in which the victim was travelling, was insured.

In this respect Ld advocate referred to the decision of the Hon'ble Apex Court reported in 2015(2) T.A.C. 677 (SC). Ld advocate emphasized upon point no.18. In the said decision in para 18, the concluding part is reproduced here for reference.

*“What emerges from the aforesaid discussion is as follows:*

*I) In the case of composite negligence, plaintiff/claimant is entitled to sue both or any one of the joint tort – feasons and to recover the entire compensation as liability of joint tort-feasons is joint and several.*

*II) In case of composite negligence, apportionment of compensation between two tort-feasons vis-a-vis the plaintiff/claimant is not permissible. He can recover at his option whole damages from any of them.*

*III) In case all the joint tort-feasons have been impleaded and evidence is sufficient, it is open to the court/ tribunal to determine interse extent of composite negligence of the drivers. However, determination of the extent of negligence between the joint tort-feasons is only for the purpose of their inter-se liability so that one may recover the sum from the other after making whole of payment to the plaintiff/claimant to the extent it has satisfied the liability of the other. In case both of them have been impleaded and the apportionment/extent of their negligence has been determined by the court/tribunal, in main case one joint tort-feasons can recover the amount from the other in the execution proceeding.*

*IV) It would not be appropriate for the court/tribunal to determine the extent of composite negligence of the driver of the two vehicles in the absence of impleadment of other joint tort-feasons. In such a case, impleaded joint tort-feasons should be left, in case he so desires, to sue the other joint tort-feasons in independent proceedings after passing of the decree or award.*

Ld advocate for the claimant now submits that the Hon'ble Apex Court has clearly dealt with this issue and the matter is resolved by this decision of the Hon'ble Apex Court. Ld advocate accordingly prayed for rejecting the petition filed by O.P.No.2/Insurance Company u/o 1 rule 10 C.P.C praying for impleading the insurance company of the other vehicle (victim).

I have considered the entire situation. It must be said here that this matter has been elaborately dealt with by the Hon'ble Apex Court in the decision referred above. In view of the said decision, it is the discretion of the claimant to implead insurance company of both the vehicles or of one vehicle only. Even if the incident appears to be a result of contributory negligence, the claimant is at liberty to file the case against either of the two insurance companies as liability here is joint and several.

Therefore, in view of the entire discussion done above, the decision cited above is hereby considered to be appropriate in respect of the present circumstances.

For the reason discussed above, I do not find any merit in the prayer of O.P.NO.2/Insurance Company.

Accordingly, the petition filed on 06-04-2023 U/O 1 Rule 10 CPC by O.P.No.2/ Magma HDI General Insurance Co Ltd., is on contest rejected.

Fix 19-08-2024 for taking evidence.

D/C by me.

Addl. Dist Judge,

F.T.C.-VIII, Alipore.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

**MACC 06 of 2022 CIS 44 of 2022**  
**CNR WBSP04-000584-2022**  
**J.O Code :- WB00993**

Order no.14 dated 26-06-2024

The claimant has filed hazira.

O.P.No.2/Insurance Company has filed hazira through Ld advocate.

O.P.No.2/Insurance Company has filed written statement. Copy is served upon the claimant.

The claimant has filed requisite of notice upon O.P.No.1.

Issue the same at once.

To 31-08-2024 for S/R of notice in respect of O.P.No.1 and for appearance.

D/C by me.

Judge, M.A.C Tribunal,

ADJ, 8th F.T.C, Alipore.

**CRL Motion 429 of 2023 CIS 15 of 2024**  
**CNR WBSP04-000**  
**J.O Code :- WB00993**

Order no.3 dated 26-06-2024

Today is fixed for receipt of LCR and appointment of P.P in-charge.

Both sides have filed respective haziras.

Ld P.P in-charge Sri Somnath Bose has filed his appointment. Let it be kept with the record.

LCR is not received.

Issue reminder for LCR.

To 14-08-2024 for receipt of LCR and hearing.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.02(04)2024 CIS 29 of 2024**  
**CNR WBSP04-000305-2022**  
**J.O Code :- WB00993**

Order no.2 dated 26-06-2024

Today is fixed for taking evidence of C.S.W.1.

Out of five accused persons on court bail, four accused persons are present by filing hazira. Rest one accused is absent in respect of whom a petition u/sec 317 Cr.P.C. is filed. The prayer is considered and allowed.

Ld P.P in-charge is absent.

No witness has appeared today.

Ld P.P in-charge is requested to ensure the attendance of the witness on the next date.

To 31-08-2024 for taking evidence of C.S.W.1.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.02(05)2014 CIS 292 of 2024**  
**CNR WBSP04-000146-2014**  
**J.O Code :- WB00993**

Order no.60 dated 26-06-2024

Today is fixed for taking further cross-examination of P.W.6.

Out of three accused persons on court bail, two accused persons are present by filing hazira. One accused is absent in respect of whom a petition u/sec 317 Cr.P.C. is filed. The prayer is considered and allowed.

P.W.6, I/O has not appeared today.

Ld P.P in-charge is requested to ensure the attendance of the witness on the next date.

To 29-08-2024 for taking evidence of P.W.6.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.05(01)2016 CIS 216 of 2016**  
**CNR WBSP04-000255-2016**  
**J.O Code :- WB00993**

Order no.84 dated 26-06-2024

Today is fixed for hearing argument.

Both the accused persons on court bail are present by filing hazira.

Ld P.P in-charge and Ld defence counsel are present.

Heard argument on behalf of the state and also on behalf of the accused persons.

To 22-07-2024 for delivery of judgment.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,

**S.C.26(10)2023 CIS 138 of 2023**  
**CNR WBSP04-000732-2023**  
J.O Code :- WB00993

Order no.5 dated 26-06-2024

Today is fixed for appointment of Ld P.P in-charge

The sole accused is absent. A petition u/sec 317 Cr.P.C. has been filed on behalf of the accused. It is considered and allowed.

Ld P.P in-charge has not yet been appointed.

Issue reminder to Ld Chief P.P Alipore for appointing P.P in-charge to conduct the case.

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

To 31-08-2024 for appearance and appointment of Ld P.P. in-charge.

D/C by me.

Sd/  
Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Memo no.....dated.....

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.C.09(09)2022 CIS 112 of 2023**  
**CNR WBSP04-000582-2023**  
**J.O Code :- WB00993**

Order no.6 dated 26-06-2024

Today is fixed for consideration of charge.

The sole accused is absent.

Ld advocate for the accused persons filed a petition praying for and adjournment on behalf of the accused.

Ld P.P in-charge is present.

The prayer on behalf of the accused is considered and allowed.

The accused is directed to appear positively on the next date.

To 05-08-2024 for consideration of charge.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.01(12)2022 CIS 97 of 2022**  
**CNR WBSP04-000610-2022**  
**J.O Code :- WB00993**

Order no.14 dated 26-06-2024

Today is fixed for taking evidence.

Out of six accused persons on court bail, only one accused is present by filing hazira. Rest five accused persons are absent in respect of whom a petition u/sec 317 Cr.P.C. is filed. The prayer is considered and allowed.

Fresh Vakalatnama is filed today by Ld Advocate on behalf of all the six accused persons. Let it be kept with the record.

No witness has turned up today.

Todate.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**Criminal Revision.410 of 2023 R No.10 of 2024**  
**CNR WBSP04-000071-2024**  
**J.O Code :- WB00993**

Order no.6 dated 27-06-2024

Today is fixed for delivery of judgment.

Both parties filed hazira.

Judgment is written in separate sheet containing seven pages is signed and delivered in open court.

**It is ordered**

That the instant revisional application, be and the same, is hereby allowed, on contest.

The order passed by the Ld 3rd Judicial Magistrate, Alipore on 28-06-2023 in AC-2995/2022 is hereby set aside.

The Ld Trial Court shall complete the trial by recording evidence and thereafter, shall decide the case in accordance with law.

Let a copy of this judgment along with LCR be sent to Ld 3rd Judicial Magistrate, Alipore.

D/C by me.

Addl. Sessions Judge,  
F.T.C.-8, Alipore.

**Criminal Revision.412 of 2023 R No.09 of 2024**  
**CNR WBSP04-000087-2024**  
**J.O Code :- WB00993**

Order no.6 dated 27-06-2024

Today is fixed for delivery of judgment.

Both parties filed hazira.

Judgment is written in separate sheet containing seven pages is signed and delivered in open court.

**It is ordered**

That the instant revisional application, be and the same, is hereby allowed, on contest.

The order passed by the Ld 3rd Judicial Magistrate, Alipore on 28-06-2023 in AC-2994/2022 is hereby set aside.

The Ld Trial Court shall complete the trial by recording evidence and thereafter, shall decide the case in accordance with law.

Let a copy of this judgment along with LCR be sent to Ld 3rd Judicial Magistrate, Alipore.

D/C by me.

Addl. Sessions Judge,  
F.T.C.-8, Alipore.

**S.T.01(06)2022 CIS 33 of 2022**  
**CNR WBSP04-000076-2022**  
**J.O Code :- WB00993**

Order no.31 dated 25-06-2024

Today is fixed for taking further cross-examination of P.W.3 Helena Mallick.

The sole accused on court bail is present by filing hazira.

The witness has turned up today.

Ld P.P in-charge is present.

The witness is cross-examined in full and she is released after examination.

Fix 03-09-2024 for taking cross-examination of P.W.2, Sumana Mallick.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.03(10)2023 CIS 226 of 2022**  
**CNR WBSP04-000**  
**J.O Code :- WB00993**

Order no.5 dated 25-06-2024

Record is put up today by petition.

The witness/C.S.W.1 Hosen Moral against whom bailable witness warrant was issued has voluntarily appeared today.

A vakalatnama is filed on behalf of the witness.

Ld advocate for the witness today submitted that the witness will appear on the next date fixed for taking evidence.

Ld advocate prayed for recalling the witness warrant.

Considering the voluntary appearance of the witness, the prayer is allowed.

The witness may be released on executing P.R. bond of Rs.1000/- on condition that he will appear on the next date fixed for taking evidence.

Todate i.e. 27-08-2024.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Later:

P.R. bond of Rs.1000/- is duly furnished by the witness Hosen Moral.

Let it be kept with the record.

Recall WWA issued against the witness.

Todate.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**Arb Exe. 640 of 2022 CIS 115 of 2022**  
**CNR WBSP04-000666-2022**  
**J.O Code :- WB00993**

Order no.11 dated 25-06-2024

Decree holder has filed hazira.

The Decree holder has filed a petition today and prayed for an adjournment to conduct hearing.

The JDR has also filed a petition praying for an adjournment.

Considering the prayer of both sides, matter is adjourned.

Fix 20-08-2024 for appearance of both sides and further orders.

D/C by me.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

**Arb Exe. 641 of 2022 CIS 114 of 2022**  
**CNR WBSP04-000065-2022**  
**J.O Code :- WB00993**

Order no.11 dated 25-06-2024

Decree holder has filed hazira along with a prayer for an adjournment to conduct verification.

The JDR has not appeared on record.

It was fixed for verification on this date.

Considering the prayer of the decree holder, matter is adjourned.

Fix 20-08-2024 for further orders.

D/C by me.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

**Arb Exe. 642 of 2022 CIS 113 of 2022**  
**CNR WBSP04-000664-2022**  
**J.O Code :- WB00993**

Order no.11 dated 25-06-2024

Today is fixed for hearing.

Decree holder has filed hazira along with a prayer for an adjournment.

The JDR has not appeared on record.

Considering the prayer of the decree holder, matter is adjourned.

Fix 20-08-2024 for hearing.

D/C by me.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist Judge,  
F.T.C.-VIII, Alipore.

**S.T.02(06)2022 CIS 36 of 2022**  
**CNR WBSP04-000188-2017**  
**J.O Code :- WB00993**

Order no.12 dated 25-06-2024

Today is fixed for taking evidence.

The sole accused is present by filing hazira.

No witness has turned up today.

Ld P.P in-charge is requested to ensure attendance of the witnesses on the next date.

Fix 29-08-2024 for taking evidence of C.S.W.2.

30-08-2024 for taking evidence of C.S.W.3.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**CRL Motion 533 of 2023 CIS 23 of 2023**  
**CNR WBSP04-000**  
**J.O Code :- WB00993**

Order no.2 dated 25-06-2024

Today is fixed for appearance.

The petitioner/revisionist and O.P. have filed respective haziras.

Call for LCR.

P.P appointment is not yet done.

Ld Chief P.P Alipore is requested for appointing P.P in-charge to conduct the case.

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

To 29-07-2024 for appearance and appointment of Ld P.P. in-charge.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Sd/  
Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Memo no.....dated.....

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.03(04)2023 CIS 37 of 2010**  
**CNR WBSP04-000135-2010**  
**J.O Code :- WB00993**

Order no.8 dated 25-06-2024

Today is fixed for taking evidence.

Out of the accused persons who are on court bail, 2 accused persons are present by filing hazira. Rest accused persons are absent in respect of whom a petition u/sec 317 Cr.P.C. has been filed.

The prayer is considered and allowed.

Ld P.P in-charge is present today.

No witness has turned up today.

Fresh schedule is accordingly prepared.

To 30-08-2024 for taking evidence of C.S.W.3 and C.S.W.4.

31-08-2024 for taking evidence of C.S.W.5 and C.S.W.6.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**CRL Motion 252 of 2023 CIS 34 of 2023**  
**CNR WBSP04-000474-2023**  
**J.O Code :- WB00993**

Order no.7 dated 25-06-2024

The petitioner/revisionist has filed hazira along with a petition praying for extension of interim order.

Photocopy of money receipt dated 05-06-2024 has been filed where from it appears that Rs.8000/- has been paid in compliance of the order. Accordingly interim order stands extended till next date.

O.P is absent without steps.

Ld. P.P in-charge is not present.

LCR has not been received.

Issue reminder for LCR.

To 27-08-2024 for receipt of LCR and hearing.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.C.26(09)2023 CIS 124 of 2024**  
**CNR WBSP04-000636-2023**  
**J.O Code :- WB00993**

Order no.6 dated 25-06-2024

Today is fixed for appearance and appointment of Ld P.P. in-charge.

All the five accused persons on court bail are absent.

Ld advocate for the accused persons filed a petition praying for time for the accused persons to appear.

Ld P.P in-charge has not yet been appointed.

Repeatedly, copy of order has been sent to Ld Chief P.P Alipore for appointing P.P in-charge to conduct this case but no such appointment has yet been done.

Issue reminder to Ld Chief P.P Alipore for appointing P.P in-charge to conduct the case.

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

To 06-08-2024 for appearance and appointment of Ld P.P. in-charge.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Sd/  
Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Memo no.....dated.....

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**MACC 07 of 2011 CIS 77 of 2016**  
**CNR WBSP04-000003-2011**  
**J.O Code :- WB00993**

Order no.10 dated 25-06-2024

Today is fixed for argument.  
Heard argument in full on behalf of the claimant.  
O.P.No.2/Insurance Company is absent without steps.  
To 2<sup>nd</sup> half for delivery of judgment.

D/C by me.

Judge, M.A.C Tribunal,

Later:

ADJ, 8th F.T.C, Alipore.

It is 2.00 P.M. now.

Ld advocate for the petitioner is present.

Judgment is written in separate sheet containing twenty pages is signed and delivered in open court.

**It is ordered**

that the M.A.C case No.7/11, u/s. 166 of the M. V. Act be and the same is allowed on contest, but without any order as to cost. The petitioners/claimants namely Jharna Mondal (widow of the deceased) and Suparna Mondal (Minor daughter of the deceased), do get an award of Rs.19,39,000/-, in two equal shares, by way of compensation as against the O.P.No.2 being National Insurance Co. Ltd. The widow of the deceased, Smt. Jharna Mondal will get Rs.30,000/-, as consortium in addition to her share. Accordingly, the petitioner no.1 Jharna Mondal gets Rs.(19,39,000 /2 ) Plus Rs.30,000 which is Rs.999500/-). The other petitioner being Suparna Mondal do get an award of Rs.( 19,39,000 /2 = 969500).

O.P.no.2, National Insurance Co. Ltd. is directed to make payment of such awarded amount to the petitioners, by issuing separate cheques in the names of the above mentioned claimants/petitioners, through this Tribunal. The amount of compensation to be paid to the minor daughter Suparna Mondal, is directed to be paid to her mother Jharna Mondal, as Suparna Mondal is still a minor.

The petitioner no.1 Jharna Mondal is directed to deposit the share of the minor daughter Suparna Mondal, either with a Nationalized bank or with a Post-Office in a long term

deposit separately till the attainment of majority of Suparna Mondal, and to report compliance to this Tribunal within 15 days from the date of receipt of the cheque.

The O.P.No.2. National Insurance Co. Ltd. is further directed to issue the cheques in favour of the petitioners within two months from the date of delivery of this judgment, failing which, the award shall carry an interest @ 12% per annum from this day, till realization of the entire amount.

The O.P.No.2, National Insurance Co. Ltd., be furnished with a copy of this judgment free of cost at once, for compliance.

D/C by me.

Judge, M.A.C Tribunal,  
ADJ, 8th F.T.C, Alipore.

**CRL Motion 410 of 2023 CIS 10 of 2024**  
**CNR WBSP04-000071-2024**  
**J.O Code :- WB00993**

Order no.5 dated 21-06-2024

Today is fixed for hearing.  
Both sides are present by filing hazia.  
Ld. P.P in-charge is present.  
Heard both sides and also heard Ld P.P in-charge.  
To 27-06-2024 for delivery of judgment.  
D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**CRL Motion 412 of 2023 CIS 09 of 2024**  
**CNR WBSP04-000087-2024**  
**J.O Code :- WB00993**

Order no.5 dated 21-06-2024

Today is fixed for hearing.  
Both sides are present by filing hazia.  
Ld. P.P in-charge is present.  
Heard both sides and also heard Ld P.P in-charge.  
To 27-06-2024 for delivery of judgment.  
D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.03(04)2023 CIS 37 of 2010**  
**CNR WBSP04-000135-2010**  
**J.O Code :- WB00993**

Order no.7 dated 24-06-2024

Today is fixed for taking evidence.

Out of the accused persons who are on court bail, 13 accused persons are present by filing hazira. Rest accused persons are absent in respect of whom a petition u/sec 317 Cr.P.C. has been filed.

The prayer is considered and allowed.

Seen copy of letter sent to this court by the Administrative Officer, office of L.R. West Bengal. It appears that special appointment to conduct prosecution has been given to Sri Swapan Kumar Chakraborty.

Sri Chakraborty has appeared today.

No witness has turned up today.

Ld P.P in-charge is requested to ensure attendance of the witnesses on the next date.  
Todate.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.



**CNR WBSP04-000188-2017**  
**J.O Code :- WB00993**

Order no.11 dated 24-06-2024

Today is fixed for taking evidence.  
The sole accused is present by filing hazira.  
No witness has turned up today.  
Ld P.P in-charge is requested to ensure attendance of the witnesses on the next date.  
Todate.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.C.06(01)2023 CIS 122 of 2023**  
**CNR WBSP04-000630-2023**  
**J.O Code :- WB00993**

Order no.7 dated 24-06-2024

Today is fixed for E/R of W/A in respect of the sole accused Dipankar Ghanti @ P.K.

E/R of W/A has not been received from Budge Budge P.S.

O.C. Budge Budge P.S. is hereby directed to execute the W/A without fail by the next date.

Let a copy of this order be sent O.C. Budge Budge P.S. for compliance.  
To 06-08-2024 for E/R of W/A.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Sd/  
Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Memo no.....dated.....

Let a copy of this order be sent O.C. Budge Budge P.S. for compliance.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.C.19(02)2021 CIS 02 of 2021**  
**CNR WBSP04-000017-2021**  
**J.O Code :- WB00993**

Order no.23 dated 24-06-2024

Today is fixed for consideration of charge.  
The sole accused is present by filing hazira.  
Ld P.P in-charge is absent.

It appears from the record that Ld P.P in-charge Sri Pradip Kumar Ghosh has not appeared even on the last occasion. None appears for the prosecution on calls.

Let the matter be brought to the notice of Ld Chief P.P Alipore requesting him to appoint another P.P in-charge, so that the prosecution case is conducted properly.

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

To 14-08-2024 for appearance and appointment of Ld P.P in-charge.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Sd/  
Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Memo no.....dated.....

Let a copy of this order be sent to Ld Chief P.P Alipore for information and necessary action.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

**S.T.03(01)2024 CIS 16 of 2023**  
**CNR WBSP04-000079-2023**  
**J.O Code :- WB00993**

Order no.3 dated 24-06-2024

Today was fixed for taking evidence.

The sole accused is absent in respect of whom a petition u/sec 317 Cr.P.C. has been filed.

It appears from the record that on the last occasionailable witness warrant was issued in respect of C.S.W.1 Jhuma Das.

A non execution report of such warrant is received today from Canning P.S. It has been reported that the witness could not be apprehended and its found abscondig.

Under such compelling circumstances, I do not find any other option but to issue nonailable arrest warrant against C.S.W.1 Jhuma Das.

B. C is directed to issue the same at once.

Issue summons upon C.S.W.2 and C.S.W.3.

To 28-08-2024 for taking evidence.

D/C by me.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

Addl. Dist & Sessions Judge,  
F.T.C.-VIII, Alipore.

