

Criminal Appeal No. 48 of 2025

Order No. 03 dated 12.11.2025

Ld. Advocate for the appellant is present.

Today is fixed for hearing of petition U/s 5 of Limitation Act.

According to the submission of the Ld. Advocate for the appellant, due to inadvertence they have filed Criminal revision in stead of Criminal Appeal being dissatisfied with the order dated 25.02.2025 passed by the Ld. JM, 2nd Court, Sealdah.

It also appears that the said Criminal Revision vide No. 5 of 2025 was rejected by the Ld. FTC, 2nd Court, Sealdah on the ground that the same was not maintainable.

The Ld. Counsel submits that for that reason delay was caused in filing of the instant appeal.

Relevant orders of the Ld. Trial Court as well as Ld. ADJ, FTC, 2nd Court is also filed.

Considering all, I think that for the interest of justice, the limitation can be condoned and the appeal can be admitted.

Hence it is

ORDERED

that the instant application under section 5 of Limitation Act dated 29.08.2025 is allowed without cost.

The instant appeal is admitted relying upon the submission of the Ld. Counsel for the appellant.

Issue notice upon the respondent.

To **19.12.2025** for SR and appearance.

The appellant did not make any prayer to stay the operation of the impugned order passed by the Ld. JM, 2nd Court, Sealdah and it was submitted that in terms of the said order the appellant/husband is making regular payment to the Ld. Trial Court.

D/C by me,

ASJ-I

(Anirban Das)/WB-691,
Addl. Sessions Judge ,
1st Court, Sealdah
South 24-Parganas