

04.04.2023

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CRR 941 of 2023
(Assigned)

In the matter of : Runa Sahai Roy
.... for the petitioner.

Mr. Manas Kumar Barman
.... for the petitioner.

Learned advocate for the petitioner submits that the learned Judicial Magistrate, 3rd Court, Sealdah in DV Act case No. 24 of 2021 discharged the respondent Nos. 1 to 4 vide order dated 14.06.2022 without adducing proper evidence and the said order was affirmed by the learned Additional Sessions Judge vide order dated 07.02.2023, in substance.

Learned advocate for the petitioner further submitted that the petitioner along with her two children are residing at her matrimonial house and the respondents have filed civil suit to evict the petitioner from the her matrimonial house which is pending before the court of competent jurisdiction. The respondents are the sister-in-law, husband of the sister-in-law and their son and daughter respectively who reside at a separate address. There is no imminent threat of dispossession of the petitioner from her matrimonial house. It seems that she is well protected as far as her residential right is concerned.

Petitioner is directed to serve notice along with the copy of the revisional application upon the opposite party Nos.1 to 4 through

registered post with acknowledgement due and also serve notice upon the opposite party No.5/State through the office of the learned Public Prosecutor, High Court Calcutta and file affidavit of service on the next date of hearing.

Let the matter be fixed on 25th April, 2023.

Copy of the order be sent to the Department for due compliance.

(Ananya Bandyopadhyay, J.)