

13-12-2023  
Court No.3  
g.b./S.A./29

**CALCUTTA HIGH COURT  
CIRCUIT BENCH AT  
JALPAIGURI  
Appellate Jurisdiction**

**CRR 343 of 2023**

**Sharwan Mishra & Ors.  
Vs.  
The State of W. B. & Ors.**

Dr. Navin Barik  
Ms. Esha Acharya  
..... For the Petitioners

The allegation of the petitioners here is that the opposite party no.2 has made several complaints against them under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 though the matter is a civil dispute as appears from Annexure - 'P-4' at page 49 of the revisional application. To get some advantage in this civil dispute, the said opposite party no.2 has filed this case under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

After considering the submission and the documents annexed to the petition, I pass an order of stay of all further proceedings in Matigara P.S. Case No. 724 of 2016 dated 19.12.2016 under Sections 3 (1) (v) (viii) of the Scheduled Castes and the

Scheduled Tribes (Prevention of Atrocities) Act, 1989 read with Sections 406/120B/354/323/34 of the Indian Penal Code corresponding to Special G.R. Case No. 9 of 2018 pending in the court of learned Special Judge, Darjeeling till disposal of this application.

The petitioners are directed to serve a copy of this application upon the opposite parties immediately.

( Abhijit Gangopadhyay , J.)