

D.L. 21.  
14.10.2020  
S.D.

**W.P.A. 4917 of 2020**  
**With**  
**CAN 1 of 2020**  
**(Old No. CAN 4975 of 2020)**  
**(CAN application not supplied)**

**Achintya Kumar Niyogi**  
**Vs.**  
**Union of India & Ors.**  
**(Via Video Conference)**

Mr. Angshuman Chakraborty  
Mr. Ritesh Kumar Ganguly  
.....for the Petitioner.

Mr. Avinash Kankani  
... for the Respondent Nos. 1 & 2.

Md. Nauroz Rahber  
.....for the respondent no. 4.

**In re: CAN 1 of 2020**

This is an application for urgent hearing of the writ petition and is disposed of by taking up the writ petition for consideration.

Petitioner complains that, despite the petitioner being found to be the owner of the shares, the respondent no. 3 rejected the application for transfer wrongfully.

Respondent nos. 1 & 2 and the respondent no. 4 are represented.

It appears from the records that, the petitioner holds specified number of shares in the respondent no. 4. Such shares were lost from the custody of the petitioner. A criminal proceeding ensued. The petitioner also applied to the respondent no. 3 for registering such shares in the name of the petitioner. The respondent no. 3 rejected such application on the ground that the criminal proceedings were still pending. Subsequent to such order of the rejection, the criminal proceedings were disposed of in favour of the petitioner and the original shares were made over to the petitioner.

In such circumstances, the petitioner is at liberty to apply afresh with the respondent no. 3 for transmission of the shares held by the petitioner in his name. Upon such application being made, the respondent no. 3 will take into consideration the order of criminal Court in deciding the application of the petitioner.

W.P.A. 4917 of 2020 is disposed of without any order as to costs.

**(Debangsu Basak, J.)**