

June 22, 2021
AD 16
SG/S. Biswas

WPA 8617 of 2021

Shilpi Rani Banerjee
vs.
The Union of India and others
(Through Video Conference)

M/s. Dipayan Kundu,
Haraprasad Chakraborty, Advocates
... for the petitioner
Mr. Amitesh Banerjee, Senior Advocate with
M/s. Tulsi Das Ray,
Tarak Karan, Advocates
... for the State
Ms. Smita Das Dey, Advocate
... for the Official Liquidator

The present petition was filed by the petitioner who claims herself to be one of the depositors with respondent Nos.9 and 10 companies viz. 'Sarada Garden Resort & Hotel Private Limited' and 'Sarada Housing Private Limited.' The prayer is for a direction to refund the amount deposited.

At the very outset, learned counsel appearing for the Official Liquidator attached to this Court submitted that winding up order has been passed against respondent Nos.9 and 10 companies, on December 7, 2018 and now further proceedings are pending with the Official Liquidator.

Keeping in view the aforesaid fact, the prayer made by the petitioner cannot be granted as for seeking refund of the amount deposited they have to follow due process of law.

The writ petition is accordingly, dismissed, with liberty to avail appropriate remedy for refund of the amount deposited.

[Rajesh Bindal, C.J.(A)]

[Arijit Banerjee, J.]