

21/04/2021
Item No.7 (t)
Court No.1.
AB/S DE

Through Video Conference

W. P. A. (H) 35 of 2021

**-
Ansari Begam**

Vs

The State of West Bengal & Others

Mr. Atarup Banerjee,
Mr. Abu Sohel ...for the Petitioner.

Mr. A. Majumdar, Ld. AAG ...for the State.

This is a writ petition seeking the issuance of a Writ in the nature of Habeas Corpus.

We have heard learned Counsel appearing for the petitioner Ansari Begam, the mother of Anisur Rahaman, for whose benefit this writ petition has been filed.

The said Anisur Rahaman is a party to the judgment, which is Annexure "P-4" to the writ petition, issued by the Division Bench. The said appeal being F.M.A. 471 of 2021 was ordered, inter alia, stating that by reason of that order, the status that prevailed on the day when the learned Single Judge disposed of the writ petition, shall stand restored, whatever the effect thereof be.

The matter having gone back to the learned Single Judge, in the fitness of things, it is only appropriate that we do not deal with this as it is one seeking a writ in the nature of habeas corpus and would leave Anisur Rahaman to seek appropriate relief, even interlocutory, in the proceedings pending before the learned Single Judge as may be deemed fit to be granted at that end.

Without prejudice to Anisur Rahaman taking such recourse, this writ petition is dismissed without entering on merits otherwise.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

[Thottathil B. Radhakrishnan, C.J.]

[Arijit Banerjee, J.]