

15th November,
2021
(AK)
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W.P.A 14897 of 2021

D.C. Griha Nirman Company Private Limited
Vs.
The State of West Bengal and others

Mr. Partha Pratim Chatterjee
Mr. Debdas Khanna
...for the petitioner.

Mr. Subhabrata Datta
Mr. Banibrata Datta
...for the State.

At the outset, as rightly pointed out by learned counsel appearing for the respondent no.2, it was unnecessary to implead respondent no.2, that is, the Registrar General of this court and respondent no.4, that is, the learned Civil Judge (Junior Division), Bidhannagar Court as parties to the instant proceeding, as such impleadment is entirely superfluous and inappropriate in respect of the alleged cause of action.

Hence, the names of the respondent no.2 and respondent no.4 stand expunged from the cause title of the writ petitioner. Appropriate amendment shall be made to the cause title accordingly, during the course of the day, by the learned advocate-on-record for the petitioner.

Despite service, none appears for the other respondents apart from the State, which is represented through counsel.

The affidavit-of-service filed in court today be kept on record.

The limited scope of the writ petition is the grievance of the petitioner that, despite the fact that the records of the petitioner's suit were misplaced and could not be located, the District Registrar, North 24 parganas, Barasat Judge's Court at Barasat failed to take any appropriate steps in the matter.

Learned counsel for the petitioner places reliance, in this regard, on a representation given by the petitioner on January 8, 2021 to the said District Registrar, annexed as Annexure-P2 at page-13 of the instant writ petition.

Upon going through and assessing the materials-on-record, WPA 14897 of 2021 is disposed of, thereby directing the respondent no.3 to look into the representation of the petitioner, annexed at page-13 of the instant writ petition, immediately upon communication of this order to the said respondent and to take appropriate steps for tracing out the records of the petitioner's suit, bearing Title Suit No.76 of 1997, pending before the learned Civil Judge (Junior Division) at Bidhannagar Court and to submit a report accordingly to the District Judge, North 24 Parganas.

The entire process shall be completed within a month from the date of communication of this order to the respondent no.3.

The learned District Judge, District North 24 Parganas is requested to take appropriate administrative steps and/or direct reconstruction of records, if

necessary, in such regard after filing of the report by the respondent no.3.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)