

30. 07.12.2021
Ct. No.06
Tanmoy

M.A.T. 1138 of 2021
With
IA No: C.A.N. 2 of 2021

Birpur Fishermen's Co-operative Society Limited
-Versus-
Sarfaraj Mondal & Ors.

(Through Video Conference)

Mr. Robiul Islam, Adv.,
Ms. Pramita Banerjee, Adv.

...for the appellants.

Mr. Malay Bhattacharya, Adv.,
Mr. Amit Baran Dash, Adv.,
Mr. Subhrajyoti Ghosh, Adv.

...for the respondent/writ petitioner.

Mr. Susovan Sengupta, Adv.,
Mr. Subir Pal, Adv.

...for the State respondents.

By consent of the parties, the appeal and the stay application are taken up together for hearing.

This appeal was preferred against an *interim* order passed in the writ application, which was operative till November 17, 2021. We are told that such order has been extended from time to time by the learned Single Judge. However, the orders extending the initial *interim* order are not under appeal in any proceeding. This appeal has become infructuous.

In any event, we are told that the learned Judge has fixed the matter on December 20, 2021. The parties, who are opposing the continuation of the

interim order, shall be at liberty to agitate such point before the learned Single Judge.

Mr. Sengupta, learned Advocate appearing for the State, also raises a point of jurisdiction inasmuch as, according to him, it is the Land Tribunal which has exclusive jurisdiction in respect of the subject-matter of the present proceeding. Such point shall also be open for the State to agitate before the learned Single Judge.

We have not gone into the merits of the case at all. The appeal being M.A.T. 1138 of 2021 and the connected application being IA No: C.A.N. 2 of 2021 are disposed of.

All parties shall act in terms of the server copy of this order downloaded from the official website of this Court.

(Kausik Chanda, J.)

(Arijit Banerjee, J.)