

Item No.13

24.12.2021
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

WPA 19938 of 2021
Tapas Kumar Raha
v.
The State of West Bengal & Ors.

Mr. Sayan Chattopadhyay
Mr. Saptaswa Bhattacharya
... for the petitioner.

Mr. Susovan Sengupta
... for the State respondents.

Mr. Puspendu Chakraborty
... for the respondent nos. 2 to 5.

Mr. Sandip Ghosh
Mr. Sudarsan Roy
Mr. Debayan Ghosh
... for the respondent nos. 11 & 12.

Affidavit-of-service filed in Court today is taken on
record.

The petitioner and the private respondents are
partners in a Liquefied Petroleum Gas distributorship
business.

It appears from the submissions made on behalf of
the parties that there are several private disputes
between them. There is allegation of non-furnishing the
books of account, non-handing over the profit etc.

The petitioner seeks for a direction upon the respondent/oil company to resolve the private disputes in between the parties.

The Court sitting in the writ jurisdiction cannot pass any order directing the respondent/oil company to enter into and resolve the private disputes pending between the partners of the distributorship firm.

Accordingly, the relief prayed for by the petitioner in this writ petition cannot be granted.

The writ petition fails and is hereby dismissed.

It will be open for the parties to approach the appropriate forum for redressal of their grievances, if so advised.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)