

MAT 2040 of 2016
With
CAN 1 of 2016 (Old CAN 11854 of 2016)
With
CAN 2 of 2016 (Old CAN 11855 of 2016)

Sandip Halder
Vs.
State of West Bengal & Ors.
(Through Video Conference)

Mr. Jahar Lal De
Mr. Shamim-ul-Bari

... ... for the State

This appeal is directed against the order of the learned Single Judge dated 6th October, 2016 passed in WP 24139 (W) of 2016 wherein the learned Single Judge has taken the view that the private respondent is not exempted from deposit of earnest money, therefore by an interim order restrained the official respondents from issuing work order in favour of the said private respondent (appellant herein).

Learned counsel for the State has pointed out that the contract was for supply of dietary and miscellaneous articles for the period from 01.10.2016 to 31.03.2017 and the said period has expired.

In view of this it is submitted that nothing survives in the present appeal.

Even otherwise, the writ petition was kept pending by the learned Single Judge by the order under appeal, therefore the appellant has full opportunity to raise the grievance in that petition if pending.

Hence, no case for interference in the impugned order at this stage is made out.

The appeal is accordingly dismissed.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)