

12th March,
2021
(AK)
2

W.P.A. 8099 of 2020

(Via Video Conference)

Subhasis Mahato
Vs.
The Union of India & Ors.

Ms. Malabika Saha
...For the Petitioner.

Mr. Y.J. Dastoor
Mr. Phiroze Edulji
Ms. Debjani Ghosal
...For the Union of India.

Mr. Prasanta Kumar Dutt
Mr. Susanta Kumar Dutt
Mr. Syamantak Banerjee
...For the SEBI.

Mr. Soumya Ray
Mr. A. Guha
...For the Respondent Nos. 6 & 7.

This matter was adjourned previously, since apparently there was a scope of settlement. Accordingly, the petitioner has filed a supplementary affidavit which may be kept on record.

However, learned counsel appearing for the respondents submit that the documents furnished by the petitioner along with the supplementary affidavit do not contain any salary slip of the petitioner and/or any other document for the respondents to be satisfied that the account-in-question is a salary account of the petitioner.

There is limited scope of interference in view of availability of an equally efficacious remedy before an alternative forum.

However, since there was a chance of settlement, this court explored the option, which ultimately failed.

As such, W.P.A. 8099 of 2020 is dismissed as not maintainable with liberty to the petitioner to approach the appropriate forum challenging the order impugned herein.

It is made clear that this court has not gone into the merits of the matter. If the petitioner approaches the alternative forum, the same will deal with the petitioner's challenge in accordance with law.

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.)