

S/L No.80

(Through Video Conference)

12.08.2021
Ct-8
(AD)

WPA 11868 of 2020
With
IA No.: CAN 1 of 2021

Malay Sarkar
vs.
Union of India & Ors.

Mr. Debapriya Samanta

...for the Petitioner.

Mr. Arijit Bakshi

... for the respondent no.1.

Mr. Kaushik Chatterjee

Mr. Tirthankar Dey

... for the respondent nos.3 & 4.

Mr. Himadri Sikhar Chakraborty

Mr. Debjit Samanta

... for the State.

Petitioner complains that the vehicle of the petitioner was taken possession of by the finance company without the due process of law.

State and the financier are represented.

Learned Advocate appearing for the financier submits that the vehicle is taken possession of pursuant to an order passed by the learned Arbitrator under Section 17 of the Arbitration and Conciliation Act, 1996.

The disputes between the private parties are civil in nature. Apparently, there is an arbitration proceeding pending. The private parties are at liberty to avail their remedy before the appropriate forum. In such circumstances, further interference by the Writ Court is not called for.

WPA 11868 of 2020 along with IA No.: CAN 1 of

2021 are disposed of accordingly without any order as to costs.

Urgent certified website copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Debangsu Basak, J.)