

WPO(P)/1/2020

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

DEBASIS MITRA AND ORS.

-Versus-

STATE OF WEST BENGAL AND ORS.

BEFORE:

The Hon'ble CHIEF JUSTICE THOTTATHIL B. RADHAKRISHNAN

The Hon'ble JUSTICE ARIJIT BANERJEE

Date : 26th February, 2021.

(Via Video Conference)

The Court : On the last occasion, nobody appeared for the petitioners. Today also nobody appears.

We have perused the papers. The sum and substance of this writ petition is the allegation that the fifth respondent, a Co-operative Bank, and its Secretary, which is the sixth respondent, are not honouring the alleged liability to the writ petitioners by repaying amounts due to them. The Registrar of Co-operative Societies is the fourth respondent. The petitioners seek direction against the second respondent, The Reserve Bank of India, as well as the first respondent, the State of West Bengal, and the third respondent, the Deputy General Manager, Reserve Bank of India, to ensure the release of funds allegedly due to the petitioners.

Giving a thoughtful consideration to the contents of the writ petition, we are of the view that this issue cannot be dealt with in writ jurisdiction. We also notice that the petitioners will have different avenues open to them including in terms of the provisions of law relating to Co-operative Societies.

In the aforesaid facts and circumstances, we decline to exercise writ jurisdiction under Article 226 of the Constitution of India as sought for by the petitioners and dispose of this writ petition preserving the petitioners' liberty to move the competent authority for recovery of money, if any, that may be due to them, in accordance with law.

The writ petition is accordingly disposed of.

(THOTTATHIL B. RADHAKRISHNAN, C.J.)

(ARIJIT BANERJEE, J.)