

29.06.2022
Item no.13
Court No.6.
AB

M.A.T. 853 of 2022
With
I A CAN 1 of 2022

Smt. Soma Das
Vs
Smt. Sarmistha Banerjee & Others

Mr. Nitai Chandra Saha,
Mr. Abhijit Chandra Majumdar
....for the Appellant.

Mr. K. K. Pathak,
Mr. Souvik Majhifor the Respondent No.1.

Mr. Sunanda Mohan Ghosh
....for the Respondent Nos.2, 3.

By consent of the parties, the appeal and the application are taken up for hearing together.

This appeal is preferred against an interim order dated May 18, 2022, whereby the operation of the award of the Registrar, Cooperative Societies dated January 14, 2022 was stayed till July 15, 2022, or until further order, whichever is earlier. Direction was given for exchange of affidavits. Affidavit-in-opposition was supposed to be filed by June 15, 2022. Reply was to be filed by June 22, 2022, which was the date fixed for hearing of the matter finally.

The appellant is the private respondent in the writ petition. She has not filed her affidavit-in

opposition although she says that the affidavit is ready. We are not inclined to interfere with the interim order. Had affidavits been exchanged diligently as directed by the learned Single Judge, by now, in all probability the matter could have been finally disposed of by the learned Single Judge.

We extend the time for the respondents in the writ petition to file affidavit-in-opposition till July 4, 2022. Reply, if any, thereto be filed by the writ petitioner by July 9, 2022.

The parties may request the learned Single Judge for early hearing of the matter to the extent the business of the Court may permit.

We have not gone into the merits of the case at all.

Since we have not called for affidavits, the allegations in the stay application are deemed not to be admitted by the respondents.

MAT No.853 of 2022 stands disposed of along with IA CAN 1 of 2022.

Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after compliance with all the necessary formalities.

(Rai Chattopadhyay, J.)

(Arijit Banerjee, J.)

