

28.07.2022
sayandeep
Sl. No. 02
Ct. No. 05

WPA 13054 of 2022

Prasun Bhuit
-Versus-
The State of West Bengal & Ors.

Mr. Tilak Kr. Bose
Mr. Debabrata Das
Mr. Pranit Bag
Mr. Saptarshi Mukherjee
..... for the petitioner
Mr. Siddhartha Banerjee
Ms. Soni Ojha
.... for the respondent No. 3
Mr. Mainak Bose
Mr. Rajiv Kumar
..... for the intervenor

Learned counsel appearing for the petitioner seeks correction of certain typographical errors in the order dated 18th July, 2022. Counsel submits that although the order directs forming of an Association under the relevant Bye-Laws, the said direction and consequent recordings in other paragraphs in relation to forming an Association is required to be corrected since the concerned Housing Complex already had an Association as of 2019. The Association continues to exist as of today. Counsel also submits that the writ petition did not contain any prayer for formation of an Association.

Learned counsel appearing for the respondent Association further seeks reference to certain subsequent events with regard to the proportional representation of the petitioner and the opposing group.

Mr. Mainak Bose, learned counsel, present in Court, submits that he represents certain groups which has challenged the order passed by this Court.

Upon hearing learned counsel, this Court is of the view that the matter should be restricted only for correction of what appears to be an obvious mistake in recording certain submissions.

In paragraphs 10,12 and 13, the word “Association” shall be deleted. Any consequent direction on the parties to form an Association shall also be deleted.

In paragraph 4 the line “*Learned counsel appearing for the Board of Administrators*” should be corrected as “*Counsel appearing for the Association*”. The remuneration which was directed in paragraph 12 of the order shall accordingly be equally shared by the petitioner, group and the Association. Since the other facts brought to the notice of the Court are subsequent to the order passed on 18th July, 2022, parties shall be at liberty to file an appropriate application.

Let this order be made part of the order dated 18th July, 2022.

(Moushumi Bhattacharya, J.)