

07.02.2022

Item No. 20

Crt. No. 11

b.r.

MAT 1251 of 2019

with

IA No. CAN 1 of 2020 (Old No. CAN 951 of 2020)

Sri Suwendu Mondal

-vs-

The Union of India & Ors.

(Via Video Conference)

Mr. Sattwik Bhattacharyya

..... for the appellant.

Mr. Alok Kumar Banerjee

..... for the Union of India.

Party/parties is/are represented in the order of their name/names as printed above in the cause title.

This appeal is directed against the order dated 18th December, 2019 in the writ petition.

By the said impugned order, the Hon'ble Single Bench was pleased to, *inter alia*, hold that all events complained of in the writ petition have occurred outside the State of West Bengal. The Hon'ble Single Bench was further pleased to hold that no part of the cause of action of the writ petitioner/the present appellant has arisen within the State of West Bengal.

Accordingly, the Hon'ble Single Bench held that it did not possess territorial jurisdiction to entertain this writ petition.

Having observed as above, the Hon'ble Single Bench granted the learned Counsel for the writ petitioner/the present appellant, leave to withdraw the

writ petition with liberty to approach the appropriate Court.

In view of the leave granted by the Hon'ble Single Bench to withdraw the writ petition with liberty to approach the appropriate Court, this Court is of the view that this appeal is not maintainable. This Court makes it clear that it has not gone into the merits of the appeal.

Accordingly, **MAT 1251 of 2019** along with **CAN 1 of 2020 (Old No. CAN 951 of 2020)** stand **dismissed as not maintainable.**

The dismissal of this appeal and the connected application shall not prevent, the appellant/the writ petitioner from taking necessary steps, as advised.

All parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to parties upon compliance of all necessary formalities.

(Krishna Rao, J.)

(Subrata Talukdar,J.)