

02 11.11.2022

**WPLRT 123 of 2022
(Assigned)**

Ct-08

**Art Pictures Private Limited
Vs.
State of West Bengal & Ors.**

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Mr. Dhiraj Trivedi
Mr. Bhupendra Gupta
Mr. Hamidul Haque
... For the Petitioner

Mr. Animesh Mookherjee
... For the Respondent no. 19

Mr. Balai Lal Sahoo
... For the Respondent no. 21

We have heard the learned counsel for the parties.

Affidavit of service filed in Court be kept with the record.

The Tribunal in considering the application for maintainability has observed that indisputability, there is no challenge of maintainability of O.A 2851 of 2016, so far as the applicant no. 1 is concerned. However, the observations, in whatever manner warded in the impugned order shall not influence the Tribunal in disposing of the objections raised with regard to the maintainability of O.A 2851 of 2016.

In fact, in the impugned order we find that the Tribunal has very consciously observed that the impugned order shall not operate as res judicata at the time of consideration of the question of maintainability of O.A 2851 of 2016, which by reason of the impugned order shall now require to be heard along with O.A 2851 of 2016.

The application being WPLRT 123 of 2022 stands disposed of with the aforesaid observation.

(Uday Kumar,J.)

(Soumen Sen, J.)