

9 & 10.
31-08-2022
debajyoti
(Ct. no.06)

MAT 1402 of 2022

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IA NO:CAN/1/2022

Gouri Chakravarty & Ors.

Vs.

Hena Chakrabarty & Ors.

W I T H

MAT 1403 of 2022

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IA NO:CAN/1/2022

Gouri Chakravarty & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Partha Sarathi Bhattacharyya,
Mr. Saikat Chatterjee,
Mr. Raju Bhattacharyya,
Mr. Tanweer J. Mandal

... For the Appellants in both the
appeals.

Mr. Subir Sanyal,
Mr. Ratul Biswas,
Ms. Sumouli Sarkar

... For Respondent Nos.1 & 2 in
MAT/1402/2022 and Respondent
Nos.14 & 15 in MAT 1403/2022.

Mr. Rajarshi Basu,
Mr. S. T. Mina

... For the State in both the appeals.

Mr. Animesh Mukherjee

... For Suri Municipality in both the
appeals.

These two appeals arise out of a common order dated August 17, 2022, which is interim in nature, passed in WPA 9804 of 2021 (Hena Chakravarty & Anr. Vs. The State of West Bengal & Ors.) and WPA 8241 of 2020 (Gouri Chakravarty & Ors. Vs. The State of West Bengal & Ors.). The learned Judge, apart from making certain observations in the order, has directed listing of

those two writ applications before him on September 02, 2022.

We are not concerned with the merits of the case. Mr. Bhattacharyya, learned Senior Counsel, appearing for the appellant, says that yet another writ petition being WPA 5286 of 2022 (Gouri Chakravarty & Ors. Vs. The State of West Bengal & Ors.) is pending before another learned Single Judge. Learned Senior Counsel says that in all therefore, two writ applications at the instance of Gouri Chakravarty and one writ application at the instance Hena Chakraborty are pending. One writ application of Gouri Chakravarty and the writ application of Hena Chakraborty are pending before the learned Judge, from whose order the present appeals have been preferred. The other writ application of Gouri is pending before another learned Judge.

The apprehension of the appellant is that unless all three writ applications which pertain to the same premises, are heard by the same learned Judge, there is real possibility of conflict of decision.

We find some logic in the submission and some reason for such apprehension. We are of the opinion that it is desirable that all three writ applications should be heard by the same learned Judge. The appellant may take appropriate steps in the matter for that purpose.

The appeals and the applications are disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)