

20. 05.12.2022
Ct. No.6
Tanmoy

MAT 1839 of 2022

**Prem Chand Podder
-Versus-
Tapan Kumar Bhunia & Ors.**

**With
IA No: CAN/1/2022
With
IA No: CAN/2/2022**

Mr. Subir Sanyal, Adv.,
Mr. Bishwajib Ghosh, Adv.,
Mr. Sumitava Chakraborty, Adv.,
Mr. Bijoy Bag, Adv.

...for the appellant/applicant.

Mr. Gopal Chandra Das, Adv.,
Mr. Subhranshu Panda, Adv.,
Mrs. Suranjana De Sarkar, Adv.

...for the KMC.

Mr. Debabrata Saha Roy, Adv.,
Mr. Subhankar Das, Adv.,
Mr. Neil Basu, Adv.

...for the respondents/
writ petitioners.

Affidavit of service filed in Court today be kept with
the records.

This appeal is directed against an interim order
dated November 9, 2022, passed in WPA 23873 of 2022.
The present appellant is not a party in the writ petition.
He has filed an application for leave to appeal.

The present appellant says that the subject-matter
of the writ petition directly concerns him but he has not
been made a party. This of course is disputed by learned
Advocate for the writ petitioners.

Be that as it may, *prima facie* it appears that the appellant may have something to say in respect of the subject-matter of the writ petition. Leave is granted to prefer this appeal.

We accordingly add the appellant as party-respondent in the writ petition. He may ventilate his grievance before the learned Single Judge at the hearing of the writ petition which is still pending. Learned Advocate-on-record for the writ petitioners is granted liberty to carry out necessary correction in the cause title of the writ petition to implead the present appellant as a respondent therein.

Mr. Saha Roy, learned Advocate for the writ petitioners strongly disputes the *locus standi* of the present appellant insofar as the subject-matter of the writ petition is concerned.

Nothing remains in this appeal. We have not gone into the merits of the case. The learned Judge is requested to decide the writ petition on merits.

The appeal and the connected applications are accordingly disposed of.

Let urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance with all necessary formalities.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)