

ORDER SHEET

OD-5

WPO 467 OF 2019
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

M/S. ONKAR PARIVAHAN FINANCE PVT. LTD. AND ANR.
VS.
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:

The Hon'ble JUSTICE ANIRUDDHA ROY

Date: 13th July, 2022

Mr. Arindam Banerjee, Adv.
Mr. Sankarsan Sarkar, Adv.
For the petitioners.

Mr. Alak Kumar Ghosh, Adv.
Mr. Sourav Chowdhury, Adv.
Mr. Debangshu Mondal, Adv.
For the K.M.C.

The Court:- Mr. Arindam Banerjee, learned Counsel appearing with Mr. Sankarsan Sarkar, learned Counsel for the writ petitioners, submits that a copy of the order of the hearing officer dated July 17, 2019 was not made available to the writ petitioner. He submits that the said order of the hearing officer being an integral part of his challenge in the writ petition needs to be assailed and without such challenge the hearing of the writ petition will be a futile exercise.

Mr. Alak Kumar Ghosh, learned Counsel appearing for the Kolkata Municipal Corporation, in his usual fairness, submits that the said order of the hearing officer was made available to him very recently, however, he shall make over a photocopy of the same to Mr. Banerjee.

In view of the above, keeping this writ petition pending will only multiply the record of the pending proceeding and nothing else and no effective purpose can be served.

Accordingly, this writ petition being **WPO No. 467 of 2019** is allowed to be withdrawn with liberty to canvas the challenges being the subject matter of the said writ petition including the said order of hearing officer dated July 17, 2019, in accordance with law.

In any event, this Court has not gone into the merits of this writ petition in any manner whatsoever and all points available to the parties are kept open including the point of maintainability.

(ANIRUDDHA ROY, J.)

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