

14 23.08.2023
RP Ct. No. 01
AN

MAT 863 of 2023
with
IA No. CAN 1 of 2023

Sastri Sangha & Ors
Vs.
The State of West Bengal & Ors.

Mr. Uday Sankar Chatterjee
Mr. Suman Sankar Chatterjee
Ms. Trisha Rakshit
Ms. Rajarshee Tah

... For the Appellants

Mr. Soumya Majumdar
Mr. Bikash Shaw

... For the Respondent nos. 4 to 6.

Mr. Somnath Ganguly, A.G.P.
Mr. Sukalpa Seal

... for the State.

1. This intra Court appeal is directed against the order dated April 18th, 2023 passed in WPA 7627 of 2023 which is an interim order. In the said order the affidavit in opposition was directed to be filed within a period of three weeks from the said date and reply, if any, be filed within two weeks thereafter and the matter was directed to be listed after five weeks.

2. It appears that the present appellants who are the private respondents in the writ petition have not filed the affidavit-in-opposition thereby not complying with the directions passed by the learned Single Bench. At this juncture, we are not inclined to interfere with the interim order, however, we direct the appellants to file affidavit-in-opposition within a period of one week from date. Reply, if any, to be filed within a period of two weeks thereafter. Let

the matter be listed before the appropriate Bench after four weeks.

3. Learned counsel for the appellants submitted that the issue which was noted by the learned Single Bench while granting the interim order should be left open. Needless to state that any observation made by a Court while granting an interim order are only prima facie observations and it will be well open to the appellants to raise all contentions in the writ petition.

4. In the result, the appeal and the connected application stand **disposed of**.

(T. S. Sivagnanam)
Chief Justice

(Hiranmay Bhattacharyya, J.)