

31.03.2023.
Court No.13
Item No. 32
ap

W.P.A. No. 17259 of 2021

With

I.A. No. CAN 1 of 2022

Dipankar Goswami

Versus

The State of West Bengal & Ors.

Mr. Supratik Basu,

Mr. Shuvam Shaw.

...For the petitioner.

Re: CAN 1 of 2022 (Restoration)

Sufficient grounds are available to explain the absence of the petitioner and/or his Counsel on 7th April, 2022 before this Court.

The said order is recalled and the writ petition is restored to its file and number.

Accordingly, CAN 1 of 2022 is disposed of.

There will be, however, no order as to costs.

Re: W.P.A. No. 17259 of 2021

The petitioner complains that the private respondents, who were the recovery agents, engaged by the respondent no.4, are forcefully trying to repossess his goods carriage truck.

It is submitted that the respondent no.4 is receiving regular instalments and has no grievance against the petitioner.

There appears to be an Award dated 20th July, 2021 against the petitioner passed by an Arbitrator in A.C.P. (Daimler) No. 88 of 2021.

In that view of the matter, this Court is of the view that the dispute between the petitioner and the private respondents is purely civil in nature and appropriate civil remedies may be obtained by the petitioner against the private respondents.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)