

16.08.2023
Item No.13
gd/ssd

MAT/1318/2023
IA NO: CAN/1/2023
OASIS NURSING HOME & POLYCLINIC AND ANR.
VS
BANK OF BARODA AND ORS.

Mr. Pappu Adhikari
..for the Appellants.

Mr. Manas Dasgupta
..for the Respondent No.1.

Mr. Triptimoy Talukdar
..for the Private Respondent.

1. This intra court appeal is directed against the order passed by the learned Single Bench dated 6th July, 2023 in WPA 14458 of 2023.

2. The appellants filed the writ petition challenging the action initiated by the respondent/Bank of Baroda freezing the bank account of the writ petitioners.

3. The learned Single Bench after taking note of the facts held that it will be well open to the appellants as well as the private respondent to approach the competent Civil Court where the disputes raised between them as partners including the operation of the bank account and running the nursing home can be resolved.

4. In our view, the learned Single Bench was fully justified in not entertaining the writ petition and granting liberty to the appellants to approach the Civil

Court and if the appellants do so, the Civil Court is directed to decide the issue in accordance with law without being influenced in any manner by any observations made by the order passed by the learned Single Bench.

5. We find no reasons to interfere with the said order. The appeal fails and the same is, accordingly, dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)