

17.10.2023.
Item No. 8.
Court No. 13
ap

M.A.T. No. 2029 of 2023
With
I.A. No. CAN 1 of 2023
Chinmoy Mondal
Versus
Sunil Dutta & Ors.

Mr. Kaustav Banerjee.

...For the appellant.

Mr. Debabrata Saha Ray,
Mr. Pingal Bhattacharyya,
Ms. Neil Basu.

...For the respondent no.1.

Mr. Biswabrata Basu Mallick, AGP,
Mr. Amritalal Chatterjee.

...For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. The intra court appeal is directed against the order dated 18th August, 2023 passed in W.P.A. No. 17585 of 2023.
3. By the impugned order, the appellant was added as party respondent to the writ petition but his application for vacating the interim order has been directed to be heard along with the main writ petition.
4. The grievance of the petitioner is that he has already been granted FPS licence and he is suffering losses.
5. Mr. Saha Ray, Counsel appearing on behalf of the respondent no.1 submits that FPS licence to the appellant was contrary to an interim order passed in another writ petition being W.P.A. No. 34179 of 2014.

6. This Court has carefully considered the pleadings and argument advanced by the parties. The disposal of the application for vacating the interim order may have the effect of disposal of the writ petition itself.

7. In those circumstances, this Court finds absolutely no infirmity in the impugned order. The parties may apply before the learned Single Judge for expeditious disposal of the writ petition itself.

8. With the aforesaid directions, M.A.T. No. 2029 of 2023 shall stand disposed of.

9. Consequently, CAN 1 of 2023 shall also stand disposed of.

10. There will be no order as to costs.

11. 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.)

(Supratim Bhattacharya, J.)