

13.01.2023
Court No.12
S/L. No.3
Sourav/
Suvayan

WPLRT 184 of 2022
With
IA No: CAN 1 of 2023
Hindustan Motors Ltd. & Ors.
Vs.
State of West Bengal

Mr. Anindya Kumar Mitra, Sr. Adv.
Mr. Arvind Jhunjhunwala
Mr. Mainak Bose
Mr. Rupak Ghosh
Mr. Tridib Bose
Mr. Debjyoti Saha

... for the petitioners.

Mr. S. N. Mookherjee, Ld. A.G.
Mr. T. M. Siddiqui, Ld. A.G.P.
Mr. Supratim Dhar

... for the State.

Heard Mr. Anindya Kumar Mitra, learned Senior Counsel appearing for the petitioners and Mr. S. N. Mookherjee, learned Advocate General appearing for the State.

This writ petition has been filed by the petitioners against the order of the Tribunal refusing interim relief to the petitioners.

Having heard learned Counsel for the parties and having perused the impugned order, we are of the considered view that the Tribunal is well within the jurisdiction to pass ad interim order and also interim order if the petitioners satisfy the Tribunal regarding the ingredients and on facts for passing such an order.

Learned Counsel for the petitioners submits that he also wants to take some additional grounds before the Tribunal. There being no bar in law for taking additional

grounds before the Tribunal, the petitioners, if so advised, may file appropriate petition before the Tribunal for taking additional grounds by amending the petition or by filing appropriate rejoinder, which the Tribunal may allow, in accordance with law.

Taking into consideration the nature of the order passed, we think it just and proper and in the interest of justice to remand the matter before the Tribunal to hear and decide the main petition being OA No. 3775 of 2022 within four months from the date of receipt of certified copy of this order or server copy of this order supplied by any of the party after giving adequate opportunity of hearing to all the parties concerned.

The additional grounds, if any, be filed before the Tribunal by the petitioners by next Friday. Till disposal of the main petition as indicated (*Supra*), party shall maintain *status quo* over the property in question till 15 days after disposal of the matter.

In view of such order, learned Tribunal is not required to take up any ad interim application or interim application filed by learned Counsel for the parties.

In view of such order, the petition being **WPLRT 184 of 2022** along with the interim application being **CAN 1 of 2023** are disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)