

Item - 54. 22-12-2023

sg Ct. 8

MAT 2450 of 2023
CAN 1 of 2023

Dr. Rana Roy
Versus
The State of West Bengal & Ors.

Mr. K.D. Poddar, Adv.
Mr. A.K. Dutta, Adv.
...for the applicant

1. Affidavit of service filed in Court today is taken on record.
2. We have heard the learned Counsel for the appellant. The writ petition is not maintainable as rightly observed by the learned Single Judge. The learned Single Judge has also given liberty to the writ petitioner to approach before the appropriate forum in accordance with law.
3. The learned Counsel for the petitioner submits that there is one Bench presently functioning and it cannot be possible for the Bench to take up the matter in the event any application is filed.
4. We are unable to appreciate the said argument. In the event the Bench refuses to take up the plea, the appellant is not remediless.
5. With the aforesaid observation, the appeal and the application stand dismissed. However, there shall be no order as to costs.

(Uday Kumar, J.)

(Soumen Sen, J.)