

11.04.2025
Item Nos. 9&10
Court No.1.
S. De

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

**MAT 72 of 2023
I.A. No. CAN 2 of 2025
with
CRC 1 of 2024**

**Subho Deep Roy.
Vs
The State of West Bengal & Ors.**

Mr. Raja Adhikary,
Mr. Mrinal Das,
Ms. Riya Agarwal,
Mr. Koushik Chandra Gupta,
Mr. Deborshi Dhar,
Ms. Taniya Bhowmik,

...for the appellant.

Mr. Nirmalya Dasgupta,
Mr. R.L. Mitra,
Ms. Priyanka Dhar,
Mr. Dipankar Deb, ...for the respondent nos. 8 to 11.

Order dictated by Arijit Banerjee, J.

1. Affidavit-of-service filed by the State, be kept with the records.
2. Vakalatnama filed on behalf of the appellant, be also taken on record.
3. By an order dated June 1, 2023, passed in WPA 1206 of 2023 (Subho Deep Roy Vs. State of West Bengal & Ors.), a learned Judge of this Court had appointed Mr. Aman Gupta, learned advocate-on-record for the writ petitioner and Ms. Priyanka Dhar, learned advocate for the respondent nos. 8 to 11 in the writ petition, as joint Special Officers without any remuneration to run the petrol pump in question and the

business thereof and to keep a detailed account in that regard and to furnish the detailed account in a sealed cover before the Arbitral Tribunal.

4. The matter was carried in appeal by the writ petitioner by filing MAT No.72 of 2023. The appeal and the connected application were dismissed by a co-ordinate Bench by a judgment and order dated July 12, 2023, thereby affirming the order of the learned Single Judge.
5. The present application has been made on behalf of the respondent nos. 8 to 11 for change of personnel of Special Officers.
6. Learned advocate for the applicants says that purely because of personal and family commitments, it will not be possible for Ms. Priyanka Dhar, advocate, to function as Special Officer. He has suggested the name of Mr. Dipankar Deb, learned advocate-on-record for the respondent nos. 8 to 11 for being substituted in place and stead of Ms. Priyanka Dhar.
7. Learned advocate for the appellant says that Mr. Aman Gupta may also be relieved from the duty of functioning as Special Officer and instead Mr. Sumit Kumar be appointed.

8. We see no reason not to allow the requests made since we definitely will not insist on the present Special Officers continuing inspite of their personal difficulties.
9. Accordingly, Ms. Priyanka Dhar and Mr. Aman Gupta, learned advocates are relieved from the obligation of functioning as Special Officers and in their place and stead, we appoint Mr. Dipankar Deb and Mr. Sumit Kumar, learned advocates who practise in Jalpaiguri. The outgoing Special Officers shall hand over to the incoming Special Officers all documents and other material that may be in their possession within a week from date (April 18, 2025).
10. Filing of accounts by the outgoing Special Officers before us is dispensed with.
11. The accounts may be filed by the incoming Special Officers at the appropriate time before the Arbitral Tribunal.
12. I.A. No. CAN 2 of 2025 is, accordingly disposed of.
13. Let the records be sent back to the principal Bench at Calcutta.

(Biswaroop Chowdhury, J.)

(Arijit Banerjee, J.)