

30.11.2023
Item No.41
Court No.1
CHC
(disposed of)

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side

MAT 77 of 2023
IA NO: CAN/1/2023

J.K. Jain Buildtech India Pvt. Ltd.
Vs.
Assistant Commissioner, Revenue, Bureau
of Investigation North Bengal
Headquarter, Siliguri Wayside & ors.

Mr. Sandip Choraria, Advocate (in virtual mode)
...for the appellant

The appeal is directed against an order dated May 18, 2023 passed by the learned Single Judge in W.P.A. 1171 of 2023.

By the impugned order, the learned Single Judge did not grant any interim order. Learned Single Judge directed filing of affidavits.

Learned advocate appearing for the appellant submits that, the parties are informed by the earlier order of the Writ Court dated April 3, 2023 passed in W.P.A.3415 of 2022. The High Court by such order, granted liberty to the appellant to produce relevant documents before adjudicating authority. The adjudicating authority however, did not consider those relevant documents and passed an order which was impugned in the writ petition in which, the impugned order was passed.

None appears for the respondents.

We find from the records that appeal is directed against an interim order. Issues raised by the appellant are yet to be decided finally by the learned Single Judge. Learned Single Judge exercised discretion in not granting interim relief as prayed by the appellant. We find no ground to interfere with the discretion so exercised by the learned Single Judge.

In such circumstances, no interference in appeal is called for.

M.A.T. 77 of 2023 along with IA NO: CAN/1/2023 are disposed of without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)