

42 10.06.2024
AN Ct. No. 01
RP

MAT 83 of 2023
with
IA No. CAN 1 of 2023

Gyanendra Sen @ Jnanendra Prosad Sen & anr.
Vs.
Gautam Dutta @ Goutam Dutta & Ors.

Mr. Amitesh Banerjee, Id. Sr. Adv.
Mr. Tarak Karan

... for the State

1. None appears for the appellant on call. No accommodation has been sought for either.

2. This intra-Court appeal has been filed by the writ petitioner against the order dated 11.01.2023 passed in WPA 27100 of 2022 by the learned Single Judge wherein a direction has already been worked out itself. Furthermore, the rights of parties have already been protected in the order by permitting both the writ petitioners as well as the appellant/private respondent to approach the civil court.

3. Hence, at this distant time, this Court finds no reason to interfere with the impugned order. However, the order and direction issued will not in any manner prejudice the rights of the appellant, if they approach the civil court.

4. With the above observations, the appeal stands **disposed of**. Consequently, the connected application also stands disposed of.

(T. S. Sivagnanam)
(Chief Justice)

(Hiranmay Bhattacharyya, J.)

