

29.04.2024
Item No.31
RP
Ct. No.1

**MAT 245 of 2024
With
IA No.CAN 1 of 2024**

**Deputy Director, Kolkata Zone II, Government of India
Vs.
LGW Limited & Anr.**

Mr. Dhiraj Trivedi, Ld. DSG
Mrs. Debjani Ray
Mr. Arijit Chakraborty
Mr. Sunil Gupta
Mr. Deepak Sharka
Ms. Supriti Sarkhel
Ms. Sohini Dey
Ms. Swati Singh Rajput
.....for Appellant

1. This appeal filed by the Deputy Director, Kolkata Zone-II, Enforcement Directorate is directed against the interim order/observations made by the learned Single Bench in the order dated 24th January, 2024 passed in WPA 28631 of 2023. This concerns determination of the Court to hear the matter. The matter was placed on the administrative side before the Chief Justice seeking clarification and it was clarified that the matter has to be heard by the learned Single Bench having determination to take up the police inaction matter. By the time the administrative decision was brought to the notice of the learned Single Bench the impugned order in the writ petition has been passed. Subsequently, the writ petition has been released by the learned Single Bench by order dated 31st January, 2024. In the light of the clarification issued by the Chief Justice on the administrative side with regard to determination of a particular Court the same would prevail and, therefore, the impugned order

has to be set aside. Accordingly, the appeal is allowed and the impugned order is set aside.

2. Since the matter concerns determination of the Court which is just to be decided by the Chief Justice in exercise of his administrative power, the writ petitioner is not required to be heard in this matter.
3. For the above reasons, the appeal and the connected application are allowed and the impugned order is set aside.
4. It is made clear that this order concerns only determination of the Court to hear the matter and this Court has not gone into the merits of the appeal.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)