

30.07.2024
ct. 6/SI. No.16
tkm

MAT 1028 of 2024
CAN 1 of 2024

Saikat Harh
Vs.
Smt. Alpana Chakraborty & Ors.

Mr. Arunangshu Chakraborty
Mr. Arijit Bera
Mr. Zeba Rashid
Ms. S Amrin
Ms. Urmimala Das
...for the appellant
Mr. Srinjoy Das
Mr. Arvind Kr Singh
...for respondents

1. Appellant has assailed order dated 10.5.2024 whereby Hon'ble Single Bench directed prayer of the respondent-writ petitioners for transfer of the flat in the co-operative society in favour of writ petitioner no. 2 to be considered by the Joint Registrar of Co-operative Society after giving opportunity of hearing to all the affected parties.

2. Mr. Chakraborty contends his right to assail the decision of the Assistant Registrar has been forfeited by the impugned order wherein the authorities were directed to take steps in the matter positively by the first week of July 2024.

3. We are of the opinion this submission is misconceived as direction engrafted in the order impugned relates to passing of a reasoned order on the representation made by the writ petitioner and nothing more.

4. It is open to the parties including the appellant if aggrieved, to challenge the order passed by the Assistant

Registrar within a reasonable time not later than 30 days from date.

5. With this observation, appeal and connected application are disposed of.

6. We have not made any observation with regard to the merits of the case of the respective parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)