

AD-02
Ct No.09
29.01.2024
TN

WPA No. 19005 of 2022
IA No: CAN 1 of 2022 (not in file)

Saket Promoters Limited and another
Vs.
Chief Judicial Magistrate, Alipore,
South 24 Parganas and others

Ms. Jayshree Saha

.... for the petitioners

Mr. Avishek Guha

.... for the respondent no.3

- 1.** Learned counsel for the petitioners submits that there is already a pending proceeding before the concerned Debts Recovery Tribunal on the self-same cause of action, which the petitioner wants to proceed with. The writ petition had been filed because the said Bench was not functioning at the relevant juncture; however, now it is functional.
- 2.** In such view of the matter, WPA No. 19005 of 2022 is dismissed for non-prosecution with liberty to the petitioners to pursue with the remedy sought here before the appropriate Tribunal.
- 3.** Interim orders, if any, stand vacated.
- 4.** Written instruction filed today be kept on record.

5. There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)