

**IN THE HIGH COURT OF JUDICATURE AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

HEARD ON: 23.09.2024

DELIVERED ON: 23.09.2024

**CORAM:
THE HON'BLE CHIEF JUSTICE T.S. SIVAGNANAM
AND
THE HON'BLE MR. JUSTICE BIVAS PATTANAYAK**

**M.A.T. 1551 of 2024
With
I.A. No. CAN 1 of 2024**

**M/S Mishra Stores
Vs.
The New India Assurance Co. Limited & Ors.**

**Appearance:-
Mr. Birendra Kumar Jha
Mr. Manish Patra**

.....For the Appellant

JUDGMENT

(Judgment of the Court was delivered by T.S. SIVAGNANAM, C.J.)

1. This intra-Court appeal is by the unsuccessful writ petitioner is directed against the order dated 8th July, 2024 in W.P.A. 2343 of 2009. In the said writ petition, the petitioner sought for direction upon the respondents/Insurance company to settle the fire insurance claim.

2. The learned Single Bench rightly dismissed the writ petition on the ground that it is not maintainable as the claim arose out of a private contractual obligation.
3. Hence, we find no ground to interfere with the order impugned.
4. Accordingly, appeal and the connected application are dismissed.
5. No costs.
6. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S. SIVAGNANAM)
CHIEF JUSTICE

I agree.

(BIVAS PATTANAYAK, J.)