

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

HEARD ON: 24.09.2024

DELIVERED ON: 24.09.2024

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

**M.A.T. 1749 of 2024
With
IA No. CAN 1 of 2024**

**Basanti Medical Stores & Anr.
Vs.
The State of West Bengal & Ors.**

Appearance:-

**Mr. Himangshu Kumar Ray
Mr. Piyas Chowdhury
Mr. Subhasis Podder
Ms. Shiwani Shaw
Mr. Amit Saha**

..... For the Appellants

**Mr. A. Ray, Ld. G.P.
Mr. T. M. Siddiqui
Mr. T. Chakraborty
Mr. S. Sanyal**

.....For the State

**Mr. D. Datta
Mr. Subhajit Chowdhury
Mr. Sayan Datta**

.....For the Bank of Baroda

JUDGMENT

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

1. This intra-Court appeal is directed against the order dated 27th August, 2024 passed by the learned Single Bench in W.P.A. No.18535 of 2024. The learned Single Bench was fully justified in not entertaining the writ petition on the ground that an efficacious alternate remedy is available. Apart from that,

taking note of the pre-deposit, which has been recovered, the learned Single Bench has also granted an interim protection and also the order of attachment of the appellants' bank account was directed not to be given further effect.

2. Thus, we find no ground to interfere with the order passed by the learned Single Bench and the appeal and the connected application are dismissed.
3. The appellants are directed to file the appeal before the appellate authority within a period of eight weeks from the date of receipt of server copy of this judgment and order.
4. Learned advocate for the appellants has submitted that apart from the statutory requirement of payment of 10% of the pre-deposit, more than 43% has been recovered from the appellants' electronic credit ledger even before the expiry of the time for preferring an appeal. This ground can be urged before the appellate authority for appropriate directions.
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.

I agree.

(T.S. SIVAGNANAM)
CHIEF JUSTICE

(BIVAS PATTANAYAK, J.)