

February 23, 2024
ARDR (676)

WPA 24212 of 2023

Pradyut Baidya
Vs.
The State of West Bengal & ors.

Adv. Mainak Bose,
Adv. Lakshmi Nath Bhattacharya,
...for the petitioner.
Adv. Subhendu Banerjee,
...for the respondent no.5.
Adv. Saikat Chatterjee,
Adv. Debangshu Bandhu,
...for the State.

Supplementary affidavit filed on behalf of the
petitioner is taken on record.

Heard learned counsels for the parties.

The petitioner challenges registration of the deed by
the Registrar of Assurance, Kolkata by an order passed on
26th September, 2023. Learned counsel for the petitioner
submits that the deed was directed to be registered behind
the back of the petitioner since the petitioner refused to
register the same due to non payment of the entire
consideration amount by the private respondent.

The matter pertains to several complicated factual
issues which need to be adjudicated on evidence.

The petitioner seeks to withdraw the writ petition
and approach the appropriate forum for redressal of his
grievance.

In view of the above, the writ petition, being WPA
24212 of 2023 is dismissed for non-prosecution.

Liberty is granted to the petitioner to approach the appropriate forum for redressal of his grievance within three weeks from date.

The private respondent is restraining from creating any third party interest in respect of the property which is the subject matter of the deed in dispute for a period of four weeks from date.

There shall however, be no order as to costs.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)