

07.11.2024

Item No. 38

Crt.No.02

b.r.

WPA 25442 of 2024

Pradip Kumar Sengupta

-vs-

The State of West Bengal & Ors.

Mr. Abir Lal Ghosh

.... For the petitioner.

Mr. Varun Kothari

Mr. Nikunj Berlia

Ms. Mosaraf Reyaz

..... for the Resp. no.6.

Affidavit of service filed in Court today, is taken on record.

Mr. Abir Lal Ghosh, learned counsel appears for the petitioner.

Mr. Varun Kothari, learned counsel appears for the private respondent no.6.

The rest of the respondents are not represented.

The record shows that a miscellaneous application was filed being **Miscellaneous Case No. 103 of 2019** before the **respondent no.3**. The claim petition is at **page-42** to the writ petition. The writ petitioner has filed its objection thereto at **page-31** to the writ petition. Ultimately, the Miscellaneous Case was disposed of by an order dated **August 2, 2024**.

Learned counsel for the petitioner submits that despite due application being submitted the certified copy of the said order was not furnished to the petitioner.

Today in Court the learned counsel appearing for respondent no.6 has submitted a copy of the said order dated **August 2, 2024** along with a copy of the complete order sheet to Mr. Abir Lal Ghosh, learned counsel appearing for the petitioner.

Considering the scope of this writ petition, no further order can be passed in this writ petition and if the petitioner is eligible to avail of any legal recourse against the said order dated August 2, 2024, the petitioner shall be at liberty to do so in accordance with law but positively within a period of **two weeks** from date.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

It is made clear that this Court has not gone into the merits of this writ petition and the petitioner shall be at liberty to take whatever points he wishes to take by relying upon whatever records and documents he wishes to rely upon before the

jurisdictional forum if the said order dated August 2, 2024 is challenged.

With the above observations and directions, this writ petition, **WPA 25442 of 2024** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)