

05.08.2024
Sl. No.16
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 25599 of 2023

Sri Bikram @ Vikram Kumar Munda & Anr.
Vs.
Coal India Limited & Ors.

Mr. Pralay Bhattacharya,
Ms. Tanusree Ghosh

....for the petitioners.

Mr. S. M. Obaidullah,
Mr. Nikhil Kumar Roy

....for the respondents.

After hearing the parties and considering the materials-on-record I find that this Court lacks the territorial jurisdiction to receive, try and determine the writ petition as the petitioner's cause of action, if any, has accrued wholly outside the jurisdiction of this State.

The respondents have relied upon a judgment dated 1st May, 2023 passed in WPA 7625 of 2023 (Shyama Prasad Kundu -Vs.- The Union of India & Ors.) in support of their contention that this Court lacks in jurisdiction.

In the aforesaid facts and circumstances, the writ petition is dismissed as withdrawn with liberty to file afresh on the selfsame cause if otherwise eligible in law before the appropriate forum.

The time spent between 19th October, 2023 that is the date of filing of the writ petition and today (05.08.2024) shall be construed to have been spent in pursuing a proceeding in a bona fide manner before a court without having jurisdiction.

(Arindam Mukherjee, J.)