

Court No. 2
26.11.2024
(Item No. 54)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 26729 of 2024

Raghunath Chowdhury & Ors.

VS

The State of West Bengal & Ors.

Mr. Debasis Sur

Mr. Hare Krishna Halder

.... For the petitioners

Mr. Soumitra Bandyopadhyay

Ms. Suchana Banerjee

Mr. Priyabrata Batabyal

.... For State respondents

By filing this writ petition petitioners pray for direction upon the jurisdictional Civil Court for disposal of a proceeding filed under **Section 34** of the **Arbitration and Conciliation Act, 1996, annexure P-3** at **page 72** to the writ petition. The prayer is totally beyond the scope of exercise of power under Section 226 of the Constitution of India.

Hence, this writ petition **W.P.A. 26729 of 2024** stands **dismissed**, without any order as to costs.

It is made clear that, this Court has not gone into the merits of the Section 34 proceeding or to the merit of the writ petition.

The petitioners shall be at liberty to pursue their appropriate legal remedy in accordance with law if the petitioners are found to be eligible to do so in law.

(Aniruddha Roy, J.)