

OD-9

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

APO/198/2023
IA NO: GA/1/2023
DIPAK KUMAR SINGH
VS.
MEGHDOOT COOPERATIVE HOUSING SOCIETY & ORS.

BEFORE :

THE HON'BLE THE CHIEF JUSTICE T.S. SIVAGNANAM
And
THE HON'BLE JUSTICE SUPRATIM BHATTACHARYA
Date : 3rd January, 2024

Appearance :
Mr. Arijit Bardhan, Adv.
Mr. Soumyadeep Mishra, Adv.
Mr. Abhinav Rakshit, Adv.
...for appellant
Mr. Alak Kumar Ghosh, Adv.
Mr. Gopal Chandra Das, Adv.
...for KMC
Mr. Anand Farmania, Adv.
Mr. Manoj Kumar Mondal, Adv.
...for State

The Court : This intra-court appeal by the 6th respondent/appellant is directed against the order dated 25th October, 2023, passed in WPO 1718 of 2023. By the said order the learned Single Judge had directed the respondents to call for affidavits. The 6th respondent in the writ petition, who is the appellant before us, would contend that the writ petition has been filed as a Public Interest Litigation and it is not maintainable before the learned Single Judge.

In our considered view, the learned Single Judge has only called for affidavits and it will be well open to the appellant/6th respondent to raise such

contention when they file their affidavit-in-opposition before the learned Single Judge and it goes without saying that such objection will be considered and a decision will be taken by the learned Single Judge. We are informed that the writ petition is listed today in the list of the concerned learned Single Judge.

With the above observation, the appeal stands disposed of.

The stay application IA NO: GA/1/2023 also stands disposed of.

(T.S. SIVAGNANAM)
CHIEF JUSTICE

(SUPRATIM BHATTACHARYA, J.)