

**IN THE HIGH COURT OF JUDICATURE AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

HEARD ON: 19.02.2025

DELIVERED ON: 19.02.2025

**CORAM:
THE HON'BLE MR. CHIEF JUSTICE T.S. SIVAGNANAM
AND
THE HON'BLE JUSTICE CHAITALI CHATTERJEE (DAS)**

M.A.T. 199 of 2025

With

I.A. No. CAN 1 of 2025

Shri Ashish Bhunia @ Ashis Bhunia

Vs.

The State of West Bengal & Ors.

Appearance:-

Mr. Pratik Dhar, Sr. Adv.

Ms. Kolpita Paul

.....For the Appellant

Mr. K. J. Yusuf, Ld. A.G.P.

Mr. Parikshit Goswami

.....For the State

Mr. Sudipta Dasgupta

Mr. Sandip Sutradhar

Mr. Baibhav Roy

.....For the Respondent Nos.5 & 6

Mr. Sandipan Banerjee

Mr. Sobhan Majumder

Ms. Utsa Dutta

.....For the Respondent No.7

JUDGMENT

(Judgment of the Court was delivered by T.S. SIVAGNANAM, C.J.)

1. This intra-Court appeal by the respondents in W.P.A. No.222 of 2025 is directed against an interim order of *status quo* passed by the learned Single Bench dated 21st January, 2025.
2. The other private respondents in the writ petition have filed two applications for vacating the interim order dated January 21, 2025 and those applications in CAN 1 of 2025 and CAN 2 of 2025 have been directed to be listed for

consideration on February 20, 2025 and the interim order, which was subsisting was directed to remain in force till March 7, 2025 or until further order, whichever is earlier.

3. In our considered view, the learned Single Bench is yet to dispose of the applications or the writ petition and it is only an interim order. Therefore, at this juncture, we do not propose to interfere with the interim order of *status quo* granted by the learned Single Bench, but would request the learned Single Bench to hear out the parties with regard to the order of *status quo*, which has been passed in the hearing fixed on 20th February, 2025.
4. The learned Senior advocate appearing for the appellant submitted that the writ petitioner is not a participant in the tender and therefore, the question of granting an interim order of *status quo* at his instance would not arise. There are other points, which have also been urged by the learned senior advocate appearing for the appellant.
5. We give liberty to the appellant to canvass all points when the matter is heard by the learned Single Bench on 20th February, 2025.
6. With the above observations, appeal and the connected application stand disposed of.
7. No costs.
8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S. SIVAGNANAM)
CHIEF JUSTICE

I agree.

(CHAITALI CHATTERJEE (DAS) J.)