

1491. 02.09.2025
(M/L) Court No.05.

(Pritam)

**WPA 5819 of 2025
with
CAN 1 of 2025**

Pradip Manna.

-Vs.-

The State of West Bengal & Ors.

Ms. Priyanka Yadav.

...for the petitioner.

Mr. Swapan Banerjee,
Mr. Diptendu Narayan Banerjee.

....for the State.

Mr. Pabitra Charan Bhattacharjee,
Mr. Sovan Nayak.

....for the respondent no.2.

Mr. Ankit Sureka,
Mr. Biplob Das,
Mr. Partha Sarathi Pal.

..for the Assistant Registrar of Co-operative Society.

1. Although, Ms. Yadav, learned advocate appearing for the petitioner would pray for an accommodation, I would, however, note that by an order dated April 2, 2025 this court had conditionally restrained the respondents from proceedings further pursuant to the notice relating to the sale of any immovable property dated March 6, 2025 forming the annexure P-I of the writ petition, till the next date of hearing.
2. Today, it transpires that the petitioner has failed to comply with the direction to place the demand draft as directed by an order dated April 2, 2025 before this court,

no undertaking as directed has also been filed. Ms. Yadav, learned advocate for the petitioner also seems to be not aware as to whether any such undertaking as directed has been filed.

3. Learned advocates for the parties have not been intimated by the petitioner any update as regards the undertaking which was directed to be filed. Having regard thereto, I am of the view that the interim order which is subsisting cannot be permitted to continue and is accordingly vacated.
4. Since, the writ petition was entertained on the ground that the petitioner was ready and willing to make payment for a sum of Rs.8,37,574/- along with interest and since, no undertaking as directed has been filed, nor any payment made as claimed by the appearing parties, I am of the view that no fruitful purpose will be served by keeping the writ petition pending and the same is accordingly dismissed.
5. As the writ petition is dismissed, the connected application having thus, become infructuous stands disposed of accordingly without any order.

(Raja Basu Chowdhury, J.)