

23.04.2025
Item No.9
Ct. No.01
AB/SM

MAT/586/2025
with
IA NO: CAN/1/2025

AMAL SEN DAS AND ANR.
VS.
STATE OF WEST BENGAL AND ORS.

Mr. Pijush Kanti Ray, Adv. Ms. Sonjanya Bandyopadhyaya, Adv.	...For the Appellants
Mr. Anuj Singh, Adv. Mr. Rupal Singh, Adv. Mr. Ashok Kr. Singh, Adv.	...For the Respondent No.4/ Protium Finance Ltd.
Mr. Swapan Banerjee, Adv. Mr. Sudipta Panda, Adv. Ms. Ananya Neogi, Adv.	...For the State-Respondent

1. This intra-court appeal by the writ petitioners is directed against the order dated 17th April, 2025, passed in WPA 8030 of 2025. On perusal of the impugned order we find the order inures in favour of the appellants and the appellant cannot be aggrieved by such order. Therefore, this would be a good ground to dismiss the appeal.
2. The learned advocate appearing for the appellants contended that the laptops, study materials and other credentials of the son and daughter of the appellants are in the property in question and the property has been locked and the minor son of the appellants is intending to sit in the several

competitive examinations which are scheduled to be held between 24th April, 2025 and 4th May, 2025 and, therefore, they seek for appropriate direction.

3. We have heard the learned advocate appearing for the 4th respondent, namely, Protium Finance Ltd. submitted that the writ petition itself was not maintainable and he in uncertain terms submitted that no request was made to the 4th respondent in this regard and the 4th respondent is ready and willing to allow the appellants to take these movable articles from the property in question.
4. Accordingly, while affirming the direction issued by the learned Single Bench, we direct the appellants to approach the officer of the 4th respondent either by today or by tomorrow 5.00 p.m. and make a request for opening the property in question and one officer of the 4th respondent shall be nominated who shall go over to the property in the presence of the appellants as well as the jurisdictional police. The locks of the property shall be opened and the appellants shall be permitted to enter into the property, shall take all the movable articles which have been mentioned by the appellants in question and medical records of the parents of the appellants etc. After the articles are removed, the property shall be locked and the direction issued by the learned Single Bench shall be complied with and the keys of

the property shall be handed over to the nominated officer of DRT-3 in connection with S.A. 1087 of 2024.

5. With the above directions the appeal along with the application is disposed of.

[T.S. SIVAGNANAM]
CHIEF JUSTICE

[CHAITALI CHATTERJEE (DAS), J.]