

In the High Court at Calcutta

Constitutional Writ Jurisdiction

Appellate Side

98 19.11.2025
Sc Ct. no.24

WPA 15680 OF 2025

Nimdangi Samabay Krishi Unnayan Samity Ltd.

VS.

The State of West Bengal & Ors.

For the Petitioner : Mr. Subrata Kumar Basu
Mr. Soumak Sen
Mr. Neilarnab Paul.

For the Respondent No.2:

Mr. Ankit Sureka
Mr. Biplob Das.

For the Respondent No.3:

Mr. Himangshu Ghosh
Mr. Hemanta Kumar Das.

1. Affidavit-of-service, filed in Court today, be kept on record.
2. The petitioner challenges an order dated 18th June, 2025 passed by the West Bengal Co-operative Tribunal, Kolkata (hereinafter referred to as the tribunal) in Review Case No.02 of 2024, refusing to review its earlier order of 6th February, 2024, allowing an application under Order XLI Rule 27 filed by the respondent no.3 herein. By the said application four sets of documents were sought to be relied upon as additional evidence, not available before the first forum, in this case the arbitrator.

3. The order of 24th February, 2024 has partly allowed the application.
4. The present writ petition challenges the said order as the tribunal held that it did not want to review the order.
5. Strangely, the tribunal provided for a liberty to the aggrieved party “to knock the appropriate forum”.
6. The petitioner feels that this is the appropriate forum.
7. The documents opposed by the petitioner are an order of this Hon’ble Court of 6th September, 2023 and the writ petition in which the order was passed.
8. The petitioner submits that such documents could not have been permitted to be a part of the record of the tribunal as the same would enlarge the scope of the dispute case, pending before the tribunal.
9. The respondent no.3 is represented and submits that the tribunal has rightly passed the orders of 6th February, 2024 and of 18th June, 2025. He further submits that the documents, taken on record, are all matters of record and no prejudice will be caused to the petitioner if such documents are considered.
10. It is true that the documents are all matters of record being an order of the High Court and the writ petition in which such order had been made.
11. The tribunal shall proceed in the matter and consider the documents, without in any manner enlarging the scope of the appeal in respect of the dispute case.

12. With the aforesaid observations, this writ petition is disposed of.
13. There will be no order as to costs.
14. Parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Reetobroto Kumar Mitra, J.)