

S/L 15
12.03.2026
Court. No. 25
Suwayan

WPA 5162 of 2026

Injam Haque
Vs.
Union of India & Ors.

Mr. Tapas Kumar Das
Mrs. Ashis Kumar Dutta

...for the Petitioner.

1. The petitioner has filed the present writ application praying for appointment of receiver for looking after the nursing home that is the respondent no. 4 and to control and operate the account lying under the respondent nos. 2 and 3.
2. It is the case of the petitioner that the petitioner is one of the partners of the respondent no. 4 i.e. Arogya Nursing Home. A dispute cropped up between the partners of respondent no. 4 due to which the nursing home is not being properly functioning. The petitioner has filed an application before the learned District Judge at Chinsurah being Misc. Case no. 13 of 2026 praying for an interim order. The learned District Judge has fixed the matter on March 25, 2026 for hearing of the said application.
3. Now the grievance of the petitioner before this Court that due to the dispute between the partners of the respondent no. 4 the patients are suffering badly and not getting proper treatment from the said nursing home and the doctors and the other employees of the said nursing home are not getting their salary and as such he prayed for appointment of a receiver in the present writ

application for looking after the day today affairs of the respondent no. 4.

4. There is a dispute of two private parties. There is no allegation against the State authorities. The petitioner has already filed an application under Section 9 of the Arbitration and Conciliation Act before the appropriate Court of law praying for an interim order and the same is pending for adjudication.
5. This Court finds that the petitioner already invoked the provisions of the arbitration proceeding and there is a dispute between two private parties, thus the present writ petition is not maintainable.
6. Accordingly, the writ petition is dismissed.
7. However, there shall be no order as to costs.
8. Urgent Xerox certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Krishna Rao, J.)