

(2018) 03 CAL CK 0046
In the Calcutta High Court
Case No : W.P. 12391(W) of 2017

BASUDEB CHATTERJEE & ORS.Vs STATE & ORS

Date of Decision : 20-03-2018

Acts Referred:

Citation : (2018) 03 CAL CK 0046

Hon'ble Judges : PROTIK PRAKASH BANERJEE, J

Bench : Single Bench

Judgement

None appears for any of the parties. On January 8, 2018 this Court had appointed a learned Special Officer in view of the circumstances recorded in the said order. There was some urgency for which that order was passed. However, the learned Special

Officer has communicated in terms of his letter dated March 20, 2018 that the order could not be complied with for the reasons stated in his letter.

I think it is proper to mention that due to absence of any information I had been constrained to pass orders dated March 6, 2018 and March 16, 2018 in

this matter and had caused a letter to be served on the learned Special Officer by the learned Registrar General. This letter was dated March 9, 2018.

The said letter was forwarded by the General Secretary of the Bar Association by another letter dated March 19, 2018. The reason given for

noncompliance can be found in paragraphs 1, 2 and 3 of the letter dated March 20, 2018 written by the learned Special Officer.

It is unfortunate that the party litigants continue to suffer because of the decision taken by the three Libraries of the Bar. However, in the interest of

justice while accepting the explanation given by the learned Special Officer, I direct as follows:

(i) The time to complete the work as directed in my order dated January 8, 2018

is extended by one month;

(ii) A copy of this order and a copy of the writ petition are to be served on the learned Special Officer;

(iii) Service of the copies of the writ petition and this order shall be made to the learned Special Officer by the learned Registrar General through a

proper letter addressed to the learned Special Officer and served on the Secretary of Bar Association, High Court Calcutta, at the Committee/Office

of the Bar Association with a request to forward the same to the learned Special Officer;

(iv) Time of one month as mentioned in direction (i) above shall start from the date when the learned Special Officer actually receives the

communication and copies as above;

(v) It is however, made clear that notwithstanding anything contained in the above direction if after the learned Special Officer communicates to the

parties to the writ petition about the aforesaid, still the writ petitioners do not discharge the obligations which were cast upon the writ petitioners in the

first instance by my order dated January 8, 2018, the learned Special Officer shall not be obliged to take any further action to comply with the above

direction.

However, in such case he shall file a report stating why he has not taken any further action by enclosing such report with a letter to the learned

Registrar General. This shall not amount to participation in judicial Proceedings before this Court. If and when such a letter with such annexure is

received by the learned Registrar General, she is requested to place such letter with annexure along with note before this Court. The report of the

learned Registrar General dated March 21, 2018 with all connected documents as also the letter written by the learned Special Officer are directed to

be kept with the records of this case.

The matter shall go out of list and shall appear only when either of the note of the learned Registrar General is ready or the Special Officer has filed

the report in the above manner.

Liberty to mention.