

*File 2746
14/11/02*

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

630268

Writ Petition(Civil) No.585/2002(For Preliminary Hearing)

DABUR INDIA LTD. & ANR.

Petitioner (s)

VERSUS

STATE OF WEST BENGAL & ORS.
(With Appln(s). for ex-Parte staypermission)

Respondent (s)

Date : 11/11/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE B.P. SINGH

Certified to be true copy
[Signature]
Assistant Registrar (Jud.)
...../14/11/2002
Supreme Court of India

For Petitioner (s)

Mr. Arun Jaitley, Sr. Adv.
Mr. Ranjit Kumar, Sr. Adv.
Mr. Utpal Majmudar, Adv.
Mr. Sanjiv Sen, Adv.
Mr. Deepak Kumar Jena, Adv.
Ms. Meenakshi Ghosh, Adv.
Mr. V.N. Raghupathy, Adv.

For Respondent (s)

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UPON hearing counsel the Court made the following
O R D E R

The High Court had not entertained the writ petition of the petitioners herein on the ground that an alternate remedy is available to them under the West Bengal Estates Acquisition Act, 1953 before the tribunal.

Mr. Arun Jaitley, learned senior counsel appearing for the petitioners, contends that the High Court has not properly appreciated the case of the petitioners while directing the petitioners to approach the tribunal. He submitted that many of the issues involved in the writ petition are beyond the scope of the tribunal's jurisdiction. As an example, he pointed out the allegations made in the petition as to the executive

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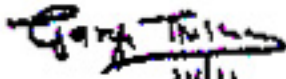
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inaction as to the petitioners' grievances, as also mala fide invocation of Section 144 of the Code of Criminal Procedure are some of them.

Having heard learned senior counsel on the above aspect of the case of the petitioners, we think it appropriate to direct the petitioners to approach the High Court again.

In the said view of the matter, learned counsel sought liberty from this Court to withdraw this petition with permission to approach the High Court again by way of a writ petition since the High Court has not pronounced its verdict on the various issues raised in the petition.

We grant that request and this petition is permitted to be withdrawn with permission to approach the High Court. The Writ Petition is disposed of accordingly.


24/11
(Ganga Thakur)
P.S. to Registrar


14/11/02
(Prem Prakash)
Court Master

