

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

Petition for Special Leave to Appeal (C) No. 15420/2020

(Arising out of impugned final judgment and order dated 19-12-2019 in APO No. 556/2017 passed by the High Court at Calcutta)

PABAN KUMAR AGARWAL

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.132767/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT )

Date : 04-01-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH  
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s) Mr. Mukul Rohatgi, Sr. Adv  
Mr. Amales Ray, Adv.  
Mr. Anindo Mukherjee, Adv.  
Mr. Rameshwar Prasad Goyal, AOR

For Respondent(s)

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

The High Court is absolutely justified in dismissing the writ petition under Article 226 of the Constitution of India on the ground that for a money claim, writ petition under Article 226 of the Constitution of India was not required to be entertained. We are in complete agreement with the view taken by the High Court. Hence, the Special Leave Petition stands dismissed.

Pending application(s), if any, shall stand disposed of.

However, it is observed that considering the fact that the petitioner was before the wrong forum, if the suit is filed within a period of two weeks from today, the same be considered in

contd..

accordance with law and on its own merits. It also goes without saying that the learned trial court to decide and dispose of the suit in accordance with law and on its own merits and on the basis of the evidence led independently.

(NEETU SACHDEVA)  
COURT MASTER (SH)

(VIRENDER SINGH)  
BRANCH OFFICER