

01.10.2024

Item No.19

Crt.No.02

b.r.

WPA 22547 of 2024

Sekh Nijamuddin

-vs-

The State of West Bengal & Ors.

Mr. M.A. Samad

Ms. Priyanka Sharma

.... For the petitioner.

Mr. Chandi Charan De, Ld. AGP

Mr. Anirban Sarkar

... for the State-respondents.

Affidavit of service filed in Court today, is taken on record.

Mr. M.A. Samad, learned advocate appears for the petitioner.

Mr. Chandi Charan De, learned Additional Government Pleader appears for the State-Respondents.

The sole grievance of the petitioner is that the petitioner has preferred an appeal being **Misc. Appeal Case No. 06 of 2024, annexure p-10 at page-42** to the writ petition, the same has not yet been disposed of.

Considering the submissions made on behalf of the parties, the **respondent no.2** is directed to dispose of the said appeal after granting an opportunity of hearing to the parties thereto in

accordance with law positively within a period of **eight weeks** from the date of communication of this order. The reasoned order disposing of the appeal shall then be communicated to the petitioner positively within a period of **two weeks** from the date of the final order to be passed.

No coercive steps shall be taken against the petitioner till **two weeks** after the reasoned order to be passed by the Appellate Authority

It is made clear that, this Court has not gone into the merits of this writ petition and the parties to the pending appeal shall be at liberty to urge whatever points they wish to urge within the scope of the said appeal.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this writ petition, **WPA 22547 of 2024** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)