

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

Ct.551 **21.11.25**
Item No.296 Sws.M

WPA 2425 of 2025

**Rabin Maity
Vs
State of West Bengal & Ors.**

Mr. Pratip Kumar Chatterjee
Mr. Goutam Banerjee
Mr. Ashish Deb
Ms. Maitrayee Chatterjee
...for the petitioner

Mr. K.J. Yusuf, Ld. AGP
Mr. Parikshit Goswami
...for the State

1. This writ petition has been carried against an order dated December 2, 2024 passed by the Sub-Divisional Magistrate, Arambagh in a proceeding under Section 10(3) of the West Bengal Highways Act, 1964. The order passed by the Sub-Divisional Magistrate, Arambagh under Section 10(3) of the West Bengal Highways Act, 1964 is appealable before the District Magistrate under Section 10(4) of the West Bengal Highways Act, 1964. In such view of the matter this writ petition is not maintained.
2. **WPA 2425 of 2025 is dismissed.**
3. This order shall, however, not prevent the petitioner from approaching the District Magistrate by filing an appeal under Section 10(4) of the West Bengal Highways Act, 1964 in accordance with law.

4. In case the petitioner prefers such appeal, the period for which the writ petition remained pending before this Court, shall not be counted for the purpose of computing the period of limitation for filing the appeal before the District Magistrate under Section 10(4) of the said Act of 1964.

(Om Narayan Rai , J.)