

S/L 4
06.01.2026
Court. No. 25
sourav

**WPA 2607 of 2025
With
CAN 1 of 2025**

**Sri Santanu Malkhandi
Vs.
District Delegate to the District Judge,
Asansol, Paschim Bardhaman & Ors.**

*Ms. Sanchari Upadhyay
Mr. Ranabeer Halder*

...for the petitioner.

*Mr. Debjit Mukherjee
Ms. Priyanka Jana*

...for the respondent nos. 2 and 3.

1. The petitioner has filed the present application being CAN 1 of 2025 praying for recalling of the order dated November 10, 2025 wherein this Court has dismissed the writ application for default for none appearance of the petitioner.
2. The petition was taken up for hearing on December 22, 2025, on the prayer of the petitioner the case was adjourned. Today when the matter is called, learned counsel for the petitioner prays for adjournment on the ground that the senior is unwell.
3. Learned counsel appearing for the respondent nos. 2 and 3, i.e., District Delegate to the District Judge, Asansol, Paschim Bardhaman and the Court of Civil Judge (Junior Division), 3rd Court at Asansol, Paschim Bardhaman raised an objection and submits that the writ petition itself is not maintainable under Article 226 of the Constitution of India as the petitioner has challenged the order granting Letter of Administration.

4. Considered the submissions made by the learned counsel for the parties.
5. This Court finds that the petitioner has challenged the order passed by the learned District Delegate dated 19.11.2024 wherein the learned District Delegate has granted the Letter of Administration in respect of the Will.
6. This Court further finds that against the order dated 19.11.2024, the petitioner has also filed an application for revocation of Letters of Administration but the same was also dismissed by an order dated 09.01.2025.
7. Considering the above, this Court finds that the writ petition itself is not maintainable before this Hon'ble Court. Accordingly, **CAN 1 of 2025** is dismissed.
8. However, it is made clear that this order of dismissal of this application will not prevent the petitioner to take appropriate steps before the appropriate Court in accordance with law.

(Krishna Rao, J.)