

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

33 18.3.2025
Sc Ct. no.2

WPA 5505 OF 2025

Tamjid Hossain Khan & Ors.

Vs.

State of West Bengal & Ors.

Mr. Partha Pratim Roy
Mr. Sarbananda Sanyal.

....For the Petitioners

Ms. Sabnam De Bardhan
Ms. Rupsha Chakraborty.

....For the Respondent
Nos. 1 to 8/State

Mr. Debajyoti Deb
Mr. Tamal Ghosh
Ms. Somdyuti Parekh.

....For the Respondent
No.9

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

Mr. Partha Pratim Roy, learned advocate with Mr. Sarbananda Sanyal, learned advocate appears for the petitioners.

Ms. Sabnam De Bardhan, learned Junior Government Advocate appearing with Ms. Reshma Chatterjee, learned State Advocate for the respondent nos. 1 to 8 submits a bunch of reports, *inter alia*, dated **March 12, 2025** under the signature of the jurisdictional Assistant Engineer, dated **March 16, 2025**, issued by the Inspector-in-Charge of the local Police Station and dated **March 12, 2025**, issued by the jurisdictional BL&LRO, the same are taken on record.

Mr. Debajyoti Deb, learned advocate appears for the respondent no.9.

The parties jointly submit that, **March 24, 2025** is the date fixed for hearing of the proceeding under **Sub-Section (4) to Section 10** of the **West Bengal Highways Act, 1964** before the jurisdictional appellate authority.

In view of the above, the jurisdictional appellate authority shall conclude the proceeding by passing a reasoned order in accordance with law on the basis of the plea already taken by the parties thereto before it on the same day or if the hearing is extended by the parties then positively within a period of **three weeks** from **March 24, 2025**. The parties then shall collect the reasoned order from the office of the jurisdictional appellate authority.

It is made clear that, this Court has not gone into the merits of the rival claims of the parties.

The appeal shall be heard and disposed of on the basis of the plea already taken by the parties thereto before the appellate authority.

The jurisdictional appellate authority while disposing of the pending appeal shall proceed independently on the merit of the appeal and without being influenced by observation, if any, made by this Court.

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

The writ petition, **WPA 5505 of 2025** stands ***disposed of*** without any order as to costs.

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

(Aniruddha Roy, J.)