

S/L 1-2
21.08.2025
Court No.17
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 6962 of 2025

CAN 1 of 2025

Saiful Islam Shaikh

Vs.

The State of West Bengal & Ors.

With

WPA 8582 of 2024

Laltu Biswas @ Martin Laltu Biswas

Vs.

The State of West Bengal & Ors.

Md. Sarwar Jahan (VC)

Md. Ashraful Huq

Mr. Gourav Das

Ms. Tapati Sarkar

Ms. Shalini Sen

... for the Petitioner [in WPA 6962 of 2025].

Ms. Jhuma Chakraborty (VC)

Mr. Suddhadev Adak

... for the State.

Mr. Tapash Mukherjee

Mr. Ramen Bose

... for the Respondent No.12 [in WPA 6962 of 2025].

Re: WPA 8582 of 2024:-

The order dated February 29, 2024 passed by the Sub-Divisional Executive Magistrate, Sardar, Nadia, the respondent no.6 herein under Section 10(3) of the West Bengal Highways Act, 1964 (the said Act of 1964, in short) is under challenge. The said order is an appealable order under Section 10(4) thereof; such an appeal was preferred and the appellate court has affirmed the order of the respondent no.6 vide order dated September 17, 2024.

In view of such development, challenge to the said order of respondent no.6 has become infructuous, WPA 8582 of 2024 is dismissed as such without any order as to costs.

Re: WPA 6962 of 2025:-

The petitioner is praying implementation of the order dated February 29, 2024 passed by the Sub-Divisional Executive Magistrate, Sadar, Krishnagar, the respondent no.6 herein.

The said order has been affirmed in an appeal under Section 10(4) of the said Act of 1964.

Mr. Mukherjee, learned advocate for the respondent no.12 submits that his client intends to challenge the said order dated September 17, 2024 of the appellate authority, if the prayer of the petitioner is allowed, the respondent no.12 would be highly prejudiced.

This Court, at this stage, is not inclined to pass the direction as prayed for by the petitioner. However, this observation however shall not be construed as an impediment to execute the said order of the appellate authority dated September 17, 2024.

WPA 6962 of 2025 along with CAN 1 of 2025 is thus disposed of without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance of all requisite formalities.

(Biswajit Basu, J.)