

07
25.07.2025
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 16558 of 2025

**Barkatullah Khan & Ors.
-versus
Union of India & Ors.**

**Mr. Partha Sarathi Bhattacharyya, Sr. Adv.
Mr. Sufi Kamal,
Mr. Raju Bhattacharyya,
Ms. Shireen Hossain.
...For the Petitioners.**

**Mr. Souvik Nandy,
Ms. Amrita Pandey.
...For Respondents.**

1. Affidavit of service and the supplementary affidavit filed in Court today are taken on record.

2. The petitioners are aggrieved by the order dated 26th June, 2025 passed by the Joint Secretary, Government of India under the Enemy Property Act, 1968.

3. Learned advocate appearing on behalf of the Union of India draws attention of the Court to Section 18(C) of the Act which mentions that any person aggrieved by an order of the Central Government under Section 18 of the Act, may, within a period of sixty days from the date of communication or receipt of the order, file an appeal to the High Court of any question of fact or law arising out of such orders, and upon such appeal the High Court may, after hearing the parties, pass such orders thereon as it thinks proper.

4. The instant writ petition has been filed within the statutory time period. As the writ petition *per*

se will not be maintainable, leave is granted to the petitioner to file a proper memorandum of appeal challenging the impugned order.

5. The petitioners apprehend that the authority will take steps to dispossess them immediately.

6. It is expected that the authority will wait till the period to prefer the statutory appeal is exhausted prior to taking any coercive steps in the matter.

7. The writ petition shall be treated as disposed of in the CIS. The department shall take necessary steps to place the writ petition in the file of the appeal.

8. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.

9. Certified copy of this order, if applied for, shall be made available to the parties.

(Amrita Sinha, J.)