

04.12.2025
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MAT 1327 of 2025
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IA No.: CAN 1 of 2025
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IA No.: CAN 2 of 2025
**Narainpur Mission Girls Junior Basic
School & Another**
- Versus -
The State of West Bengal & Others

Mr. Arnab Saha
... for the Appellants.
Mr. Bhaskar Prasad Vaidya (through V.C.),
Mr. Nilay Baran Mandal
... for the State/Respondents.

This intra-court appeal has been preferred challenging the order dated 3rd July, 2025 in WPA 9702 of 2025.

As we have invited the learned advocates appearing for the respective parties to advance their arguments on the merits of the matter, the delay in filing the present appeal is condoned, and the application under Section 5 of the Limitation Act, being I.A. No. CAN 1 of 2025, is disposed of.

A bare perusal of the order under challenge in this appeal reveals that the learned Single Judge found that the issue raised in the writ petition required adjudication upon exchange of affidavits, and accordingly, the learned Bench directed the parties to file affidavits in respect of the writ petition.

No issue, whether relating to the rights or the liability of any of the parties in the writ proceedings, has been determined. Essentially, this order cannot be treated as an order within the meaning of Clause 15 of the Letters Patent.

In view of the above, we are not inclined to interfere in the present appeal. Consequently, the appeal and the application for stay, being I.A. No. CAN 2 of 2025, are dismissed.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned advocates for the parties.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)