

24.09.2025.  
Court No. 13  
Sl. No. 17  
pk

**MAT 1356 of 2025**  
**I.A. No. CAN 1 of 2025**  
**I.A. No. CAN 2 of 2025**

Biplab Kumar Chowdhury  
Versus  
The State of West Bengal and others

Mr. Sakabda Roy

...for the Appellant.

Mr. Malay Kumar Singh,  
Mr. Tapas Ballav Mandal.

...for the State.

1. Affidavit of service filed in Court is taken on record.
2. The delay of 1032 days in filing the instant appeal against the order dated 22<sup>nd</sup> September, 2022 passed by the Single Bench of this Court, according to the counsel for the appellant, is condoned under Section 14 of the Limitation Act.
3. The appellant had filed a review of the impugned order before the Single Bench within time which was dismissed on 14<sup>th</sup> September, 2023. The appellant preferred an appeal against the order dated 14<sup>th</sup> September, 2023 before this Court that was dismissed on 4<sup>th</sup> August, 2025 as not maintainable.
4. The appellant therefore spent the time of delay pursuing mistaken judicial proceedings.

5. In that view of the matter, the appellant/petitioner is entitled to benefit of Section 14 of the Limitation Act. The delay in filing the appeal is condoned.

6. CAN 1 of 2025 is allowed and disposed of.

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7. MAT 1356 of 2025 is directed against the original order dated 22<sup>nd</sup> September, 2022 passed by the Single Bench of this Court.

8. The Single Bench found that the writ petitioner has filed as many as 195 writ petitions against various private respondents who have constructed permanent residences within the North Dum Dum Municipality. He has alleged that the construction was made on vested lands. Most of the aforesaid cases including one are before the Single Bench, the Municipality has sanctioned a plan and the private respondents therein were issued *pattas* by the State.

9. The Single Bench further found that after filing the writ petitioners, the appellant used to enter into settlement with the private respondents and the Writ would be withdrawn thereafter. The appellant was therefore found to abuse the process of court and used writ petitions as means of extortion.

10. In that view of the matter, costs of Rs.25,000/- imposed on the writ petitioner by the Single Bench was to meager and paltry. A substantially higher quantum

of costs ought to have been imposed on the writ petitioner.

11. However, this Court is of the view that if the appellant deposits the cost of Rs.25,000/- within seven days from date with the State Legal Services Authority, no further costs shall be imposed. In default, the quantum of costs shall increase to Rs.50,000/-.

12. Hence, the instant appeal shall stand dismissed. Consequently, connected pending application is also dismissed.

13. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

***(Rajasekhar Mantha, J.)***

***(Ajay Kumar Gupta, J.)***