

S/L 15
03.12.2025
Court. No. 25
suvayan

WPA 23551 of 2025

The All India Matua Mahasangha & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Arunagshu Chakraborty
Mr. N. C. Dey
Mr. Arijit Dey
Mr. Maheswar Malo Das

...for the Petitioners.

Mr. Sirsanya Bandopadhyay
Mr. Akash Dutta

...for the State.

Mr. Soumya Majumder, Sr. Adv.
Mr. Ratikanta Pal

...for the respondent nos. 6 and 7.

Ms. Afreen Begum
Mr. Dip Dutta

...for the respondent no. 8.

Mr. Uday Sankar Chattopadhyay
Ms. Sadia Parvin

...for the respondent no. 9.

1. The petitioners have filed the present writ application being aggrieved with the report submitted by the Sub-Divisional Officer, Bongaon, North 24 Parganas dated September 8, 2025.
2. Mr. Chakraborty, learned counsel appearing for the petitioners submits that without any proper enquiry and without getting the original record by virtue of which the caste certificates were issued by the private respondents, the Sub-Divisional Officer has submitted the report to the Assistant Commissioner for Reservation. He submits that there are several documents on record to show that

the alleged Scheduled Castes certificates issued to the four persons without following any due process of law.

3. Mr. Majumder, learned Senior Counsel appearing for the respondent nos. 6 and 7 submits that the Assistant Commissioner for Reservation has directed the Sub-Divisional Officer to conduct enquiry and submit a report. In compliance of the direction of the Assistant Commissioner for Reservation, the Sub-Divisional Officer, Bongaon, North 24 Parganas has submitted the report. In the report he has categorically stated that the original record by virtue of which the caste certificates were issued to the four persons are not yet traced out. He further submits that already a complaint has been sent to the Inspector-in-Charge of Bongaon Police Station for taking appropriate action. He further submits that till date no final decision has been taken by the Assistant Commissioner for Reservation and as such in the writ petition filed by the petitioners is premature and not maintainable.
4. Learned counsel for the respondent nos. 8 and 9 submits that the petitioner has no *locus standi* to file the present writ application. He further submitted that initially the petitioners are filed the writ application by way of Public Interest Litigation but the Hon'ble Division Bench has dismissed the Public Interest Litigation holding that the writ application filed by the petitioners is not a Public Interest Litigation. He has also referred to some of the averment made in the said order wherein it is mentioned

that the petitioners have initiated the Public Interest Litigation only with the politically vendetta.

5. Considering the submissions made by the learned Counsel for the respective parties, this Court finds that the petitioners have filed the present writ application challenging the report of the Sub-Divisional Officer. The said Sub-Divisional Officer has not taken any final decision and he has only submitted the report to the Assistant Commissioner for Reservation in terms of the direction issued to the Sub-Divisional Officer.
6. This Court finds that keeping the writ petition pending before this Court will not serve any purpose. The writ petition is disposed of by directing the certificate issuing authority as provided under the West Bengal Scheduled Castes and Scheduled Tribes (Identification) Rules, 1995 to consider the objection raised by the petitioners and after giving an opportunity of hearing to all concern parties to pass a reasoned and speaking order within a period of eight weeks from the date of receipt of this order.
7. This writ petition is disposed of at the motion stage without calling any affidavits, allegations made therein deemed to have denied by the respondents.
8. WPA 23551 of 2025 is disposed of.
9. Urgent Xerox certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Krishna Rao, J.)