

27.11.2025
Item No.13
Ct. No. 1
KS

**F.M.A. 1677 of 2025
With
I.A. No. CAN 1 of 2025
Smt. Archana Mal
Vs.
The State of West Bengal & Ors.**

Mr. Sabir Ahmed

Mr. S. Kushari

.....For the Appellant

Mr. Sirsanya Bandopadhyay, Sr. S.C.

Ms. Tapati Samanta

.....For the State

Mr. Siddhartha Sarkar

Mr. S. Gupta

.....For the Respondent No.4

Ms. Pampa Dey Dhabal

Ms. Sangita Banerjee

.....For the Respondent Nos.5 to 9

PER, SUJOY PAUL, ACJ.:

1. Parties are represented through their respective learned counsels.
2. With the consent finally heard.
3. This intra-Court appeal is arising out of an order of learned Single Judge dated 19.08.2025 passed in W.P.A. 7168 of 2025 whereby writ application was disposed of.
4. The principal relief (paragraph 17a) of the petition, as pointed out was to provide police protection to the petitioner based on his complaint dated 18.03.2025 (Annexure – P8) to show that petitioner can continue and complete the construction work.

5. Counsel for appellant/petitioner by reading the entire order urged that learned Single Judge has not given any finding regarding the aforesaid main prayer to the petitioner. The respondent could not point out any iota of finding, in this regard, in the impugned order. It appears that the principal relief claimed by petitioner has not been considered by learned Single Judge. Resultantly, impugned order dated 19.08.2025 is set aside and W.P.A. No.7168 of 2025 is restored to its original number by reserving liberty to the parties to address the Court on principal relief on merits.
6. We have no doubt that the learned Single Judge will deal with it in accordance with law.
7. List the writ petition before Regular determination in the week commencing 8th December, 2025.
8. It is, however, made clear that this Bench has not expressed any opinion on merits.
9. With this above observation, F.M.A. 1677 of 2025 is disposed of.
10. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(SUJOY PAUL, ACJ.)

(PARTHA SARATHI SEN, J.)