

15.12.2025
Court No.25
D/L No.4
S. Gayen

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 24465 of 2025

**Moni Mahata
Versus
The State of West Bengal & Ors.**

Mr. Amit Ranjan Pati
Mr. Sunayan Ghosh
Ms. Swastika Chowdhury
Ms. K. Kubra
Ms. Ilika Nag
Mr. Avijit Chatterjee
Mr. Anish Goswami

...for the Petitioner

Mr. Ansar Mandal, Ld. AGP
Ms. Somashree Dey

...for the State

1. The petitioner has filed the present writ application praying for a direction upon the respondent Nos. 7,8 and 9 to release the vehicle of the petitioner being WB33E1994 as well as for consideration of the representation submitted by the petitioner on 14th October, 2025 before the respondent No.8, i.e., Additional District Magistrate, Paschim Medinipur.
2. This Court has called for a report from the State Authority. The State Authority has filed the report wherein, it reveals that on 14th October, 2025 the case being MM/84/2025 has initiated by the Additional District Magistrate and District Land and Land Reforms Officer, Paschim Medinipur and passed an

order of fixing the date of hearing on 29th October, 2025 and directed to issue notice upon the petitioner. After issuance of the notice, the petitioner has not appeared before the concerned authority and on 29th October, 2025 the Additional District Magistrate passed an order directing the petitioner to pay the penalty amount of Rs. 1 lakh.

3. The petitioner contended that no notice has been issued to the petitioner and without giving any opportunity of hearing to the petitioner, the Additional District Magistrate has passed an order dated 29th October, 2025 but failed to consider the representation submitted by the petitioner on 14th October, 2025.
4. Learned counsel for the petitioner has denied with regard to the receipt of the notice. Accordingly, this Court has called for the original record from the office of the Additional District Magistrate and the learned counsel for the State has produced the original record and after going through the record, it is found that the notice was dispatched for serving upon the petitioner but the petitioner refused to accept the same and the notice was pasted in the front gate of the petitioner.
5. Considering the record, this Court finds that the contention made by the petitioner as no notice was given and no opportunity of hearing was given to the petitioner is not correct.

6. Considering the above, this Court finds that already the authority has passed the order after issuance the notice to the petitioner. Accordingly, this Court did not find any illegality in the order passed by the Additional District Magistrate dated 29th October, 2025.
7. In such view of the matter, WPA 24465 of 2025 is dismissed.
8. However, it is made clear that the dismissal of the present writ application will not prevent the petitioner to file an appeal before the appellate authority and if the petitioner has filed the appeal before the appellate authority within a period of one week from date, the appellate authority shall consider the appeal in its own merit without being influence of any observation made in this order.
9. It is further made clear that if any appeal is filed by the petitioner as stated above, the appellate authority shall dispose of the same within a period of three weeks from the date of filing of the appeal.
10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
11. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all formalities.

(Krishna Rao, J.)