

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/22/2025

QAMAR ALAM
-vs-
UNION OF INDIA AND ORS.

BEFORE:

The Hon'ble JUSTICE JAY SENGUPTA

Date : 20th March, 2025.

Appearance:

Mr. S. Banerjee, Sr. Adv.
Mr. S.S.G Hasnain, Sr. Adv.
Mr. Amritam Mondal, Adv.
Mr. Avirup Mondal, Adv.
Ms. Shahnaz Parveen, Adv.
...for the petitioner.

Mr. Kumar Jyoti Tewari, Sr. Adv.
Ms. Amrita Pandey, Adv.
Mr. Abhijit Banerjee, Adv.
...for the respondents.

The Court :- Learned counsel appearing on behalf of the respondents denies the allegations made in the writ petition and submits as follows. The impugned order dated 19.09.2024 in proceeding no. 4 of 2024 is appealable. The consequential notices issued can fairly be taken care of by the appellate forum. In the event the petitioner wishes to file an appeal, the respondents would defend their case before the appellate forum.

At this stage, learned counsel appearing on behalf of the petitioner submits that in such event, the petitioner would like to file an appeal against the said impugned order. However, an interim protection may be granted till the appeal is placed for hearing before the appellate forum.

In view of the above, the petitioner shall be at liberty to prefer an appeal before the concerned learned District Judge. In the event such appeal is filed

within three weeks from this date, the respondent authorities shall not take any coercive action for such period. In the event an appeal is filed, the question of limitation shall be considered leniently by the appellate forum.

With these observations, the writ petition is disposed of.

As affidavits have not been called for, the allegations made in the petition are deemed to have been denied.

Urgent certified copy of this order be made available to the parties upon their compliance with requisite formalities.

(JAY SENGUPTA, J.)