

02
rkd 17.03.2026
Ct.05

W.P.A. 4374 of 2026

Md. Naseer

-vs-

The State of West Bengal & Ors.

Mr. Abdul Hamid Molla,
Md. Abdul Halim,
Ms. Nupur Chaudhuri,
Mr. Sahil Hamid,
Mr. Biswadeep Dey,
Md. Ijaz Ahmed Molla

....for the petitioner.

Mr. Santanu Kumar Mitra,
Mr. Subhabrata Das

....for the State.

Md. Sajid,
Mr. Abirlal Chakravorti,
Ms. Sampa Bhadra,
Ms. Brawna Tekriwal

....for the respondent nos.5 to 9.

1. Matter is heard in presence of the learned advocates representing the petitioner, State respondents and private respondents.
2. By filing communication dated 9th March, 2026 of Officer-in-Charge, Jorasanko PS it was pointed out on the last occasion that the issue involved in this writ petitioner relates to civil in nature requiring the petitioner to approach civil court.
3. During course of hearing, learned advocate representing the private respondents has placed before this Court one order dated 10th September, 2025 passed by a coordinate Bench on writ petition being WPA 28415 of 2024 (Md. Naseer v. The State of West Bengal & Ors.) and same is taken on

record.

4. On perusal of the order dated 10th September, 2025, it appears that the said writ petition was dismissed for default and surprisingly present writ petition is filed seeking similar relief.
5. In view of dismissal of previous writ petition being WPA 28415 of 2024 which was also at the instance of the petitioner, present writ petition is found to be not maintainable.
6. Appropriate course which is left open to the petitioner is to get the previous writ petition being WPA 28415 of 2024 revived by filing an application and necessary steps are required to be taken for hearing of that writ petition if writ petition is permitted to be revived.
7. In aforesaid situation no relief can be granted to the petitioner. Writ petition stands dismissed.
8. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)