

March 11, 2026
Sl. No.14
Court No.1
s.biswas

FMA 368 of 2026
With
CAN 1 of 2026

Lili Roy
vs.
The State of West Bengal and others

Mr. Chittapriya Ghosh
Mr. Sandipan Pal
Mr. Niladri Mondal
Ms. Satabdi Singha

... for the appellant

Mr. Jahar Lal De
Ms. Debarati Sen (Bose)

... for the State

Per, Sujoy Paul, C.J.

1. Mr. Chittapriya Ghosh, learned counsel for the appellant and Mr. Jahar Lal De, learned counsel for the State, are heard.
2. The appellant has challenged the order dated 03.02.2026 passed by learned Single Judge in WPA 18304 of 2024. The grievance of the appellant/petitioner was that the private respondent has installed CCTV camera in a way which tinkers with the privacy of the present appellant. Learned Single Judge after obtaining report, dismissed the writ petition on merit.

3. In the considered opinion of this court, whether or not installation of CCTV is tinkering with the freedom and privacy of the appellant is a disputed question of fact, which cannot be gone into in a writ petition. Accordingly, in our opinion, writ petition itself was not maintainable. Thus any finding given by learned Single Judge will also not bind the parties. Liberty is reserved to the appellant to approach the appropriate forum for his grievances. It is made clear that in that event, the said forum shall decide the matter on its own merits and no finding of impugned order will come in the way of the appellant.
4. With the aforesaid and without expressing any opinion on merits, this intra-court appeal is disposed of. The pending interlocutory application being CAN 1 of 2026 is also disposed of.
5. It is informed that respondent no.5 is no more and therefore his name may be permitted to be deleted.

6. The prayer is allowed. The appellant shall do the needful during the course of the day.

(Sujoy Paul, C.J.)

(Partha Sarathi Sen, J.)