

In The High Court at Calcutta

CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 12240 OF 2026

**DIVYANG SIKARIA
VS.
THE STATE OF WEST BENGAL AND OTHERS**

.....

Mr. Arka Pratim Chowdhury, Adv.
Ms. Dipanwita Das, Adv.
Ms. Aishwarya Roy, Adv.
Mr. Swatlik Batabyal, Adv.

... For the Petitioner

Mr. Suryaneel Das, AGP
Ms. Anita Kundu, Adv.

...For the State

Ms. Madhurai Sinha, Adv.
Ms. Upasana Banerjee, Adv.

...For the Respondent Nos.4-6

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Matter is heard in presence of the learned advocates representing the petitioner, State respondents and respondent nos.4 to 6.
3. The petitioner by instituting this writ petition, *inter alia*, has prayed for direction which would protect petitioner's share in the movable and immovable properties of Late Pawan Sikaria and in Sikaria Infrastructures Pvt. Ltd. and to restrain those shares from being alienated.
4. In addition thereto it is also submitted on behalf of the petitioner that previously a writ petition being *WPA 16739 of 2025* was preferred by the petitioner which was dismissed on the ground of non-prosecution *vide* order dated 4th February, 2026,
5. According to the petitioner, though order dated 4th February, 2026 was passed based on the submission made on behalf of the State respondents on the premise that petitioner filed a naraji petition before the court below, no

such naraji petition was filed requiring dismissal of the writ petition.

6. Thereafter petitioner filed a recalling application being *CAN 1 of 2026* in connection with *WPA 16739 of 2025* seeking recall of the order dated 4th February, 2026.
7. Co-ordinate Bench while dismissing the application being *CAN 1 of 2026* held that recalling of the order dated 4th February, 2026 is not warranted.
8. In view of the order passed by the co-ordinate Bench on the application being *CAN 1 of 2026* on 21st April, 2026, today in connection with the present writ petition, this Court is required to rely upon order dated 4th February, 2026 of the co-ordinate Bench passed on the previous writ petition being *WPA 16739 of 2025*.
9. Therefore, there is no other option but to infer that previous writ petition being *WPA 16739 of 2025* was dismissed on the ground of non-prosecution.
10. In addition thereto police authority has no role to play in protecting petitioner's share in movable and immovable properties of Late Pawan Sikaria and in Sikaria Infrastructures Pvt. Ltd and to take steps for preventing those shares from being alienated.
11. Therefore, no relief can be granted in this writ petition and same stands dismissed.
12. However, this order shall not preclude the petitioner to approach the appropriate forum for protecting his share in aforesaid movable and immovable properties, in accordance with law.
13. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)