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(DL)

18.06.2026
Court No. 05
(Suvendu /Arpan)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)

WPA 13218 of 2026

**Sree Sree Raksha Kali Mata
Thakurani Sebayet Trust
-Versus -**

State of West Bengal & Ors.

Mr. Souri Ghosal
Mr. Subhojit Mukherjee
Mr. Pintu Karar

....for the petitioner

Mr. Suryaneel Das, Ld. AGP
Ms. Suchitra Sinha Chatterjee
Mr. Bhaskar Bhattacharyya

...for the State respondents

Mr. Keshab Chandra Das
Mr. Biplab Adak
Ms. Aparajita Mondal

....for the respondent nos. 8-13, 15, 17 & 18

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. On hearing learned advocates representing the petitioner and State respondents, it appears that petitioner prays for direction which would permit the petitioner to offer puja to Sree Sree Shitala Mata, Sree Sree Dharmaraj Thakur and Sree Sree Peer Baba Thakur. In support of such contention, reliance is placed on the order passed by the coordinate Bench on a writ petition being WPA

11473 of 2025 (Sree Sree Raksha Kali Mata Thakurani Sebayat Trust Vs. State of West Bengal & Ors.).

3. However during course of hearing, it has been brought to the notice of this Court that present petitioner filed a suit which was decreed by the first appellate court against which defendants in the suit preferred second appeal before the Hon'ble Division Bench of this Court being SAT 36 of 2026 (Sri Sukumar Koley & Ors. Vs. Sree Sree Rakhakali Mata Thakurani Sebayat represented by Sri Himadri Halder & Ors.). Hon'ble Division Bench passed an order on 12th May, 2026 thereby admitting the second appeal. It appears that the issue involved in the suit vis-à-vis second appeal touches upon the issue involved in this writ petition i.e. offering puja/ worship.
4. Coordinate Bench passed orders on writ petition being WPA 11473 of 2025 on 21st May, 2025 and subsequently on 30th May, 2025 but those orders were passed before admission of second appeal being SAT 36 of 2026 by the Hon'ble Division Bench vide order dated 12th May, 2026.
5. Therefore, it emanates from the facts of the case qua orders passed by the coordinate Bench and the Hon'ble Division Bench that coordinate Bench passed orders on the writ petition being WPA 11473

of 2025 when decree was subsisting in favour of the petitioner herein being the plaintiff in the suit. However after admission of second appeal preferred by the defendants vide order dated 12th May, 2026 by the Hon'ble Division Bench, situation is altered. Therefore, Court finds it not apt to entertain this writ petition in view of pendency of second appeal.

6. Hence, writ petition stands dismissed.
7. However, this order shall not preclude the petitioner to approach the Hon'ble Division Bench in connection with pending second appeal, if situation so arises.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)