

A. 34
06.04.2026
Court No.19
BP

WPA 17687 of 2025

Balaram Chandra Biswas
-versus-
The State of West Bengal & Ors.

Mr. Sarbananda Sanyal
..for the petitioner

Mr. Baidurya Ghosal
Mr. Sourav Mukherjee
Mr. Saikat Mukherjee
..for the private respondent
Nos. 7, 8, 9, 11 and 12

Ms. Tuli Sinha
..for the State

This matter is taken up upon being mentioned by Mr. Sanyal, learned advocate appearing for the petitioner. He submits that though in the writ petition a mandamus was sought for directing the respondents to issue notice under Section 10(3) of the West Bengal Highways Act, 1964 for removing and/or demolishing the illegal construction but in effect the petitioner sought for a direction upon the District Magistrate to dispose of the appeal preferred under Section 10(4) of the 1964 Act by the private respondents herein.

The learned advocate appearing for the petitioner and the private respondents uniformly submits that in the meantime the appeal under Section 10(4) of the 1964 Act has already been disposed of and the private respondents have challenged such order by filing a writ petition being WPA 7445 of 2026.

Since the appeal has already been disposed of, nothing survives to be decided in this writ petition.

Accordingly WPA 17687 of 2025 stands disposed of.

There shall be however no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)