

January 8, 2026
Sl. No.19
Court No.1
s.biswas

MAT 2027 of 2025
With
CAN 1 of 2025

Debabrata Banerjee and another
vs.
Bikalpa Kanksa Soial Welfare Society and others

Mr. Kishore Mukherjee
... for the appellants

Mr. Samim Ahammed
Ms. Ambya Khatun
... for the respondent no.1

Ms. Sonal Sinha
Ms. Suman Biswas
... for the State

Mr. Bishwambhar Jha
Ms. Munmun Mishra
Mr. Harshwardhan Kumar Jha
... for the Central Bank of India

Per, Sujoy Paul, A.C.J.

1. Parties are represented through their respective learned counsel.
2. This intra-court appeal assails the order dated 11.11.2025 passed in WPA 24056 of 2025 whereby the learned Single Judge directed the police authorities to register an FIR. Criticizing this order, learned counsel for the appellants/added respondents submits that the learned Writ Court ought not to have issued such direction to register the FIR. The FIR is improper and illegal.
3. Learned counsel for the State has informed that in obedience of the impugned order dated 11.01.2025, FIR has already been registered.
4. Learned counsel for the appellants did not dispute that FIR has not been registered.

5. In this intra-court appeal the legality, validity and propriety of the FIR is not the subject matter challenge. Right or wrong, the direction of learned Single Judge dated 11.11.2025 is implemented by registering an FIR. In this backdrop we deem it proper to dispose of this appeal by permitting the present appellant to assail the said FIR before appropriate forum and in that event the validity of FIR cannot be supported on the strength of the order of learned Single Judge dated 11.11.2025 in WPA 24056 of 2025. The said forum shall decide the validity of FIR on its own merits.
6. With the aforesaid observation, this intra-court appeal and the connected application are disposed of.

(Sujoy Paul, A.C.J.)

(Partha Sarathi Sen, J.)