

Court No. 19

(265719)

02.01.2026

(AD 6)

(S. Banerjee)

WPA 27495 of 2025

Md. Mahfuzul Alam & Anr.

Vs.

Union of India & Ors.

Mr. Nikhil Kumar Gupta

Ms. Laboni Bar

Ms. Doyel Mondal

Ms. Srijita Roy

...for the petitioners

Mr. Sukumar Bhattacharya

Ms. Anamika Pandey

Mr. Ghanshyam Pandey

...for the respondent nos. 1, 4, 5 and 6

Affidavit of service filed in Court today, is taken
on record.

The petitioners claim that the property in
question is not an enemy property and the same is
wrongly claimed to be an enemy property and vested
with the custodian of enemy properties.

Learned advocate appearing for the petitioners
submits that the petitioners have submitted a
representation dated June 2, 2025 before the
Custodian of Enemy Property for India and the
Deputy Secretary (Kolkata Branch), Office of the
Custodian of Enemy Property for India, but till date

no decision on such representation has been communicated to the petitioners.

Mr. Bhattacharya, learned advocate appearing for the respondent nos. 1 to 6 and 8 submits that the Joint Secretary, Foreigners and Freedom Fighters Rehabilitation Department is the appropriate authority to decide the issue which the petitioners have raised in the representation dated June 2, 2025. He submits that the appropriate authority has not been approached by the petitioners.

Faced with such situation the learned advocate appearing for the petitioners prays for an opportunity to submit a proper representation before the appropriate authority.

In the light of the submissions made by the learned advocate appearing for the respective parties, this writ petition stands disposed of without entering into the merits of the claims and counter-claims of the respective parties and by giving opportunity to the petitioners to file a comprehensive representation before the Joint Secretary, Foreigners and Freedom Fighters Rehabilitation Department, New Delhi, North Block, ventilating their grievances. If such a representation is submitted, the concerned authority shall consider and dispose of the same by passing a

reasoned order as expeditiously as possible, but preferably within a period of six weeks from the date of receipt of a server copy of this order along with a copy of the representation permitted to be submitted by this order.

Since no affidavit has been called for, the allegations contained in this writ petition shall not be deemed to have been admitted.

(Hiranmay Bhattacharyya, J.)