

38 20-01-2026
AKG
Ct. 15

WPA 27753 of 2025
Sri Buddhasri Roy Chowdhury @ Sri Buddhyashri Ray Chowdhury & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Debayan Roy
...for the Petitioners
Mr. Sounak Bhattacharya,
Mr. Sounak Mondal,
Mr. Abhirup Halder
...for the Respondent Nos. 8 & 9

Alleging unauthorised construction at the behest of respondent nos. 8 and 9, the petitioners had earlier filed WPA 9061 of 2020 before this Court. A Co-ordinate Bench of this Court, by an order dated March 19, 2021, inter alia, directed the concerned Prodhan of Bodra Gram Panchayat to consider the representation of the petitioners in accordance with law.

By filing the present writ petition, the petitioners seek implementation of the said order dated March 19, 2021.

Learned counsel appearing for the petitioners submits that the order dated March 19, 2021 was communicated to the concerned Prodhan immediately by a letter dated April 12, 2021; however, the Prodhan failed to comply with the said order.

There is no dispute that a second writ petition is maintainable for the purpose of implementation of an order passed in an earlier writ petition. Therefore, it cannot be said that the present writ petition is not maintainable.

However, such maintainability does not necessarily imply that a writ court is required to function as an executing court for enforcement of an order passed by another Bench of this Court, particularly when the petitioners themselves failed to take steps within a reasonable period of time for implementation of the order in accordance with law.

In the present case, it appears that the petitioners have approached this Court seeking implementation of the order dated March 19, 2021 after a lapse of nearly four years. No explanation whatsoever has been furnished in the writ petition for such belated approach.

In the facts and circumstances of the case, and having regard solely to the inordinate delay, I am not inclined to entertain the present writ petition.

This, however, shall not preclude the petitioners from availing themselves of any other remedy available to them in law for implementation of the order dated March 19, 2021.

Accordingly, **WPA 27753 of 2025** stands dismissed.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)