WBCHCA0566982026

Item No.3
Ct. No.1
KS

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA(P) 509 of 2026

Tathagata Datta
Vs.
Union of India & Ors.

Appearance:
Mr. Tathagata Datta]..... Petitioner appear [In person]

Mr. Ajit Kumar Mishra, Ld. AGP
Mr. Madhu Jana, Ld. J.G.A.
Mr. Gopal Krishna Sarkar
Mr. Ankit Kumar Mishra
Mr. Aman Mishra]…..Advocates for State

CORAM: RAVINDRA VITHALRAO GHUGE,
CHIEF JUSTICE
&
OM NARAYAN RAI, J.
Date: 13.11.2026

Order (Per Court)

1. The Petitioner in person before this Court, claims to be a Law Graduate and now a practicing advocate. According to him, one Prosenjit

Chakraborty, who claims to be an employee of the Eastern Railways, was misusing his authority in connivance with the officials of the Eastern Railway.

2. The Petitioner alleges that Mr. Chakraborty is impersonating as an Employee of the Railways. The Petitioner filed Complaint Case No.356 of 2025 against Prosenjit Chakraborty before the Judicial Magistrate, 4th Court cum Railway Magistrate, Sealdah, South 24 Parganas. By an order dated 22.06.2026, the learned Magistrate dismissed the complaint. The Petitioner approached this Court in CRR No.2941 of 2026. In the 2nd paragraph on internal page no.2 of the order dated 21.07.2026, the learned Single Judge concluded that there is no infirmity in the order of the learned Magistrate dated 22.06.2026. The Petitioner's Petition was, therefore, disposed off by the learned Single Judge.

3. However, in the last paragraph of internal page no.2 of the order dated 21.07.2026, it is recorded that the present Petitioner in person canvassed before the learned Single Judge that an incorrect affidavit was filed by the Railways before the Division Bench of this Court in W.P.A (P) 16 of 2021. The said Petition was disposed off by this Court granting liberty to the Petitioner to approach the Division Bench to make out a case. Today, the

Petitioner submits that the affidavit filed by the Railways before the Division Bench was a correct affidavit.

4. In view of the above, we have **no reason to entertain this Petition** and the same is, therefore, **dismissed**.

5. At this juncture, the Petitioner in person prays for liberty to transfer his Petition to the learned Judicial Magistrate, 4th Court at Sealdah. We will not entertain his request in view of the fact that the said Magistrate has already dismissed the complaint filed by the Petitioner and the learned Single Judge has affirmed the said order.

(OM NARAYAN RAI, J.) **(RAVINDRA V. GHUGE)**
Chief Justice