

07.01.2026
Item No.11
Ct. No.01
RP

MAT 2164 of 2025
+
IA No.CAN 1 of 2025

Jyoti Lal Shaw & Anr.
VS
The State of West Bengal & Ors.

Mr. Jagganath Ganguly
...For Appellants
Mr. Sourav Mondal
...For Respondent No.14

PER, PARTHA SARATHI SEN, J.:

1. The subject matter of challenge in this instant appeal is the order dated 28.11.2025 passed in WPA 23514 of 2025.
2. It is submitted on behalf of the appellants that while passing the impugned order service was not effected upon the private respondents, who are appellants before us. It is further submitted on behalf of the appellants that on the basis of the order impugned the police authorities are constantly chasing the present appellants.
3. It is submitted that the matter may be remanded to the learned Single Bench directing the said Court to dispose of the said

writ petition after giving an opportunity of hearing to the present appellants, who were private respondents therein.

4. We have meticulously gone through the order impugned. We have considered the submissions of the learned advocate for the appellants. On careful perusal of the order impugned it reveals that the learned Single Bench while disposing of the said writ petition simply recorded on the basis of submission of the State that FIR would be registered on the basis of a complaint made by the writ petitioner against the private respondents.
5. We have also noticed that after recording of such finding the learned Single Bench only directed the police authority to keep a strict vigil over the area and to render adequate protection and assistance to the writ petitioner in order to prevent any untoward incident. In our considered view, no much prejudice has been caused to the present appellants since by the impugned order the learned Single Bench did not direct the respondent State to lodge

any FIR against the present appellants, who were the respondents before the learned Single Bench. In further considered view of us, the view taken by the learned Single Bench is a plausible one and in absence of perversity and/or glaring illegality there is hardly any scope to interfere with the impugned order.

6. Before parting with, it is, however, made clear that in the event the present appellants are aggrieved with the lodging of FIR, they are at liberty to take recourse to the law in appropriate forum, if so advised.
7. With the aforementioned observation, the instant appeal and the connected application are disposed of.
8. Urgent Photostat certified copy of this order, if applied for, be delivered to the learned advocates for the parties, upon compliance of all formalities.

[SUJOY PAUL, ACJ.]

[PARTHA SARATHI SEN, J.]