06.11.2026

S.L. 6
Ct. No. 8

Mujahid/
Rakib,
A.R.(Ct.)

In the High Court at Calcutta
Civil Appellate Jurisdiction
Appellate Side

Case No.

MAT 1922 of 2026
With
CAN 1 of 2026

In the matter of :

Jayanta Singha & Ors.

... Appellants

VS.

The State of West Bengal & Ors.

... Respondents

For the Appellants :

Mr. Sankar Nath Mukherjee
Ms. Anusree Sarkar

... Advocate

For the State :

Mr. Samrat Mukherjee, Ld. AGP
Ms. Sobita Roy
Mr. Amlan Mukherjee
Mr. Partah Sarathi
Ms. Tanusree Ghosh

... Advocate

1. Leave is granted to the learned advocate on record appearing for the appellants to file the affidavit of service in the course of the day.

2. This appeal is against an order dated October 13, 2026 passed in WPA 29997 of 2026. The respondent no. 10/writ petitioner filed the writ petition challenging the inaction on the part of the State respondents in not taking action against the private respondents nos. 9, 10 and 12/appellants who had been plying their vehicles illegally in violation of the timetable approved by the Regional Transport Authority.

3. The learned Single Judge, having considered the report filed by the State, recorded the undertaking given by the learned counsel for the State respondents that appropriate steps and action would be taken in accordance with law against the persons who ply vehicles in violation of the timetable approved by the Regional Transport Authority.

4. Being aggrieved by the aforesaid order, the appellants have preferred this appeal.

5. The learned counsel appearing for the appellants submits that on the date when the writ petition was moved before the learned Single Judge, no copy of the writ petition had been served upon him.

6. According to him the subject-matter involved in the writ petition was a matter relating to police inaction under Group-IX. However, the writ petition was filed under Group – VII [Transport and Communication] of the Classification List. He further submits that on the date when the writ petition was moved, the learned Single Judge did not have the determination to take up Group IX matters under the Writ Rules and thus, the order under appeal was passed without jurisdiction.

7. It appears from the prayers in the writ petition, particularly prayer [b] thereof that, the writ petitioner sought for a direction upon the respondents to ventilate his grievances against the

appellants who had been plying their vehicles in violation of the timetable approved by the RTO.

8. Under such circumstances, we are of the view that the writ petition was rightly filed under Group VII of the Classification List of the Writ Rules. We further find that there is no infirmity in the order passed by the learned Single Judge.

9. We make it clear that before taking any coercive steps against the alleged violators, the State shall afford them adequate opportunity in accordance with law.

10. Accordingly, MAT 1922 of 2026 and the connected application being CAN 1of 2026 are dismissed.

11. There shall be no order as to costs.

12. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Sabyasachi Bhattacharyya, J.)

(Arjun Ray Mukherjee, J.)