

03.02.2026
Court No.25
D/L No.20
S. Gayen

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 28687 of 2025

**Shri Sk. Fayez Ali & Anr.
Versus
State of West Bengal & Ors.**

Mr. Phatick Chandra Das
Mr. Anurag Chatterjee

...for the Petitioner

Mr. Soumitra Bandopadhyay, Sr. Adv.
Mr. Ramchandra Guchhait

...for the State

Mr. Sanjay Saha
Mr. Raju Mondal

...for the Respondent No.5

1. The petitioner has filed the present writ application praying for setting aside the impugned notice dated 26th November, 2025 wherein the Additional District Magistrate and Land & Land Reforms Officer, Paschim Medinipur has initiated the case against the petitioners for violation for the challan issued to the petitioners.
2. The case made out by the petitioners that the respondent authorities have blocked the challan of the petitioner without giving any notice and initiated the proceeding and have passed the order without giving any opportunity of hearing.
3. This Court has called for a report from the authorities and as per the direction passed by this Court the learned counsel for the authorities have produced the

original record wherein, it is found that in terms of the noticed dated 26th November, 2025 the Additional District Magistrate has fixed the case for hearing on 4th December, 2025. Accordingly, the authorities have sent the notice to the petitioners in its registered address but the notice was served on 5th December, 2025. On 4th December, 2025, the authorities have taken up the matter and adjourned the case as none appears on behalf of the petitioners and again the matter was fixed on 22nd December, 2025. The authorities again issued the notice to the petitioner by speed post informing the date of hearing on 22nd December, 2025 but the petitioners have not appeared before the authorities and the Additional District Magistrate has passed the order on 22nd December, 2025 imposing penalty of Rs. 1 lakh upon the petitioners.

4. Considering the above, this Court finds that the authorities have issued the notice to the petitioners on 12th December, 2025 but inspite of service of notice, the petitioners choose not to appear, accordingly, the authorities have passed the order on 22nd December, 2025 imposing penalty of Rs. 1 lakh upon the petitioners.
5. In view of the above, the writ petition is disposed with the liberty to the petitioners to take appropriate steps

to challenge the order dated 22nd December, 2025 in accordance with law.

6. WPA 28687 of 2025 is disposed of.
7. The original record produced by the authorities is returned to the learned counsel for the State.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
9. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all formalities.

(Krishna Rao, J.)