

26.02.2026
Item No.972 (DL)
Court No.551
AJ.

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

W.P.A. 29628 of 2025

**AMIK
-Vs-
Steel Authority of India & Ors.**

Mr. Amitava Mukherjee,
Mr. Arpita Saha,
Ms. Amrita Ghosh,
Ms. Antara Das.

...for the petitioner.

Mr. Tapas Kumar Banerjee, Sr. Adv.,
Mr. Shamba Chakraborty.

....for the respondentnos.

1. Mr. Banerjee, learned senior Advocate appearing for the respondents has taken a point of maintainability of the writ petition inasmuch as the principal order impugned dated June 11, 2025 has been passed by the learned Additional District Judge, Fast Track Court (2nd Court, Asansol). It is submitted that since the order impugned has been passed by the learned Civil Court, the same could only be assailed by way of an application under Article 227 of the Constitution of India and not by way of a writ petition under Article 226 of the Constitution of India. In support of his contention he relies on a judgment of the Hon'ble Supreme Court in the case of *Life Insurance Corporation of India –Vs- Nandini J. Shah & Ors.* reported at (2018) 15 SCC 356.

2. Faced with such objection, Mr. Mukherjee, learned senior Advocate appearing for the petitioner, seeks to withdraw this writ petition with liberty to file a Civil revisional application under Article 227 of the Constitution of India on the selfsame cause of action.

3. As requested by Mr. Mukherjee, learned senior Advocate appearing for the petitioner, this writ petition being WPA 29628 of 2025 is dismissed as withdrawn with liberty to the petitioner to file a fresh application under Article 227 of the Constitution of India on the selfsame cause of action, if so advised.

4. Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Om Narayan Rai, J.)