

20<sup>th</sup> March,  
2026  
(AK)  
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**WPA 177 of 2024**  
**IA No: CAN 1 of 2025**

M/s. A.H. Wheeler & Co. (Pvt.) Ltd.  
Vs.  
Indian Railways and others

Mr. Sahashranshu Bhattacharya  
Ms. Sayani Roy Chowdhury  
...for the applicant.

Ms. Rittwika Banerjee  
...for the writ petitioner/respondent.

1. Learned counsel for the respondent in the modification application files a notarized affidavit-in-opposition which, strictly speaking, is not in appropriate format as required by the rules of this court.
2. Learned counsel submits that since the deponent of the opposition has affirmed it from Allahabad, it would be inconvenient to have it done according to the rules of this court.
3. However, it transpires that the affidavit-in-opposition prepared by the said respondent carries the necessary stamp as well as is notarized.
4. Hence, since “procedure is the handmaid of justice”, leave is granted to the respondent to file

the said affidavit-in-opposition and the same be treated to be in form.

5. Such affidavit-in-opposition is kept on record.
6. Learned counsel appearing for the applicant submits that the applicant shall not use any reply, since the papers before the court are sufficient to make arguments.
7. At this juncture, learned counsel for the respondent seeks an adjournment on the ground of personal difficulty of the lead counsel representing the writ petitioner/present respondent.
8. Hence, let the matter stand adjourned till March 27, 2026.

**(Sabyasachi Bhattacharyya, J.)**