

WPA 6013 of 2026

Md. Mohasin Ahamed
Vs.
The State of West Bengal & Ors.

Mr. Raja Biswas
Mr. Abhojit Sarkar
...for the petitioner
Mr. Aditya Chakraborty
Mr. Wahed Reja
...for the respondent nos. 4 to 6
Mr. Suryaneel Das
Ms. Suchitra Sinha Chatterjee
...for the State

1. Matter is heard in presence of the learned advocates representing petitioner, State respondents and respondent nos. 4 to 6.
2. It has already been recorded in the orders dated 20th April, 2026 and subsequently on 8th July, 2026 that Sub-Divisional Magistrate and Sub-Divisional Officer, Baruipur, South 24 Parganas passed an order dated 7th December, 2023 wherein it was decided construction work of the petitioner did not encroach PWD land.
3. A case is made in this writ petition that in spite of such order passed on 7th December, 2023 respondent nos. 4 to 6 are creating obstructions as a result whereof present writ

petition is filed seeking directing upon the concerned police authorities to take steps.

4. Learned advocate representing respondent nos. 4 to 6 submits that questioning order dated 7th December, 2023 a writ petition was filed being WPA 23258 of 2024. However, same was dismissed for default vide order dated 18th December, 2025 passed by a coordinate bench. It is also submitted that one application was subsequently filed for revival of said writ petition but said application is still pending.
5. From the submission made on behalf of respondent nos. 4 to 6 it appears that as writ petition being WPA 23258 of 2024 is yet to be revived on allowing restoration application order dated 7th December, 2023 passed by Sub Divisional Magistrate and Sub-Divisional Officer still subsists requiring parties to adhere to this order. *Dehors* the said order dated 7th December, 2023, if steps are taken by the respondent nos. 4 to 6 thereby disturbing construction work of the petitioner in that event police authorities shall take necessary steps in terms of the said order dated 7th December, 2023.
6. Writ petition stands disposed of.

7. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)