

December 11, 2025

(4) ARDR

CAN 1 of 2025

Fab Leathers Limited.....applicant.

In

WPA 22473 of 2025

Mozibullah Khan & ors.

Vs.

The State of West Bengal & ors.

Sr. Adv. Kalyan Bandopadhyay,
Adv. Debajyoti Basu,
Adv. Triptimoy Talukder
Adv. Aditya Chakraborty,
Adv. Dibyendu Ghosh

...for the petitioners.

Sr. Adv. S. N. Mukherjee,
Adv. Srijib Chakraborty,
Adv. Dipanjan Dutt,
Adv. Shivam Pathak,
Adv. Soumodip Ghosh,

...for the added respondent.

Sr. Adv. Tapan Kr. Mukherjee,
Adv. Tuli Sinha,

...for the State.

Re : CAN 1 of 2025

Affidavit in opposition filed by the petitioners and
reply thereto used by the applicant are taken on record.

The applicant seeks to be added as party respondent
in the writ petition. It has also prayed for dismissal of the
writ petition. The second prayer of the applicant shall be
considered in the writ petition.

It appears that by an order passed on 24th
September, 2025, this Court observed that the writ petition
could not be disposed of without any audience granted to
the applicant. The application has been filed pursuant to
such observation of the Court.

In view of the above, the application is allowed.

The applicant be added as party respondent to the writ petition. The cause title of the writ petition be amended accordingly.

Since the applicant is represented, service of notice upon the added respondent is dispensed with. However the writ petitioners shall serve a copy of the writ petition along with all annexure thereto upon the added respondent in course of this day.

Re : WPA 22473 of 2025

The added respondent has challenged the maintainability of the writ petition primarily on the ground that the petition involves disputed question of facts which cannot be dealt with by this Court.

Disputing the contention of the added respondent, learned counsel for the petitioner submits that the petitioners are in possession of the property in question for about five decades and their allegation is primarily against the police authority.

Learned counsel seeks accommodation.

Let the matter appear under the heading “Motion” on 18th December, 2025.

(Suvra Ghosh, J.)