

Court No. 2
(265704)

11.12.2025
(AD 15)
(S. Banerjee)

WPA 27327 of 2025

Md. Masidul Islam
Vs.
State of West Bengal & Ors.

Mr. Sudipta Dasgupta
Mr. Baibhav Roy

...for the petitioner

Mr. Bhaskar Prasad Vaisya
Mr. Ranjan Saha

...for the State

A writ petition is filed before this Court on the plea that the West Bengal Administrative Tribunal and Benches under the said tribunal are not functioning. According to the petitioner when Bench under West Bengal Administrative Tribunal is not available, litigant is required to approach learned Single Bench of the High Court under Article 226 of the Constitution of India instead of approaching the Hon'ble Division Bench with the writ petition. Hence the present writ petition is filed before this Court.

Reliance is placed on paragraph 392 of judgment of a Five-Judge Bench of the Hon'ble Supreme Court, reported in (2020) 6 SCC 1 (*Roger Mathew -Vs.- South Indian Bank Limited*). Reliance is also placed on the order dated June 12, 2025 passed

by Hon'ble Division Bench of this Court on a writ petition being WPST 4 of 2025.

Considering the issue canvassed in this writ petition, Court requests Mr. Kishore Datta, learned Advocate General to appear in this matter on behalf of the State-respondents.

Learned advocate representing the petitioner is directed to communicate this order to the office of the learned Advocate General by December 17, 2025.

List the matter under the same heading for further consideration on January 6, 2026.

(Saugata Bhattacharyya, J.)