

21.01.2026

Sl. No.:22
Court No.9
BM

WPA 29859 of 2025

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IA NO: CAN 1 of 2026

ABIR CHAKRAVORTY

VS

UNION OF INDIA AND ORS.

Mr. Sabyasachi Chatterjee

Mr. Badrul Karim

Mr. Rishabh Ahmed Khan

Ms. Monalisha Sinha

... for the petitioner

Ms. Reshmi Bothra

... for the Union of India

Mr. Arka Kumar Nag

Mr. Souvik Naiya

... for the respondent Nos.2 to 6

This Bench is sitting under exceptional circumstances. Although the determination of this Bench was assigned to another Hon'ble Judge as I was required to sit in the Division Bench but under exceptional circumstances, the matter was mentioned and the matter is fixed today for hearing of this application for modification of the order dated 31.12.2025.

By order dated 19.01.2026, the Hon'ble Justice Reetobroto Kumar Mitra was pleased to pass an order to release the writ petition along with IA No.: CAN 1 of 2026 and the parties were at liberty to approach the Bench which has passed the interim order of December, 31, 2025.

Learned advocate submits that as the interim order was passed by this Bench on 31st December, 2025, it is

this Bench which can modify or recall the said order. On the other hand, learned Advocate appearing for the writ petitioner who is opposing this application for modification of the order dated 31st December, 2025 submits that the interim order which was passed earlier is going to expire today and it is further submitted that as this modification application is pending before this Bench, there is no scope for the Regular Bench to extend the interim order till disposal of the modification application.

This matter will take time and today there is no time and the Learned Advocate for the applicant respondent submits that there is no jurisdiction to extend the interim order. However, as the interim order is still today in force, this Court is of the view that in the interest of justice and to prevent abuse of process of law, this interim order should be extended.

The interim order granted earlier on 31.12.2025 stands extended for a period of three weeks or till further orders whichever is earlier.

Let the affidavit in opposition to the writ petition filed be kept with the record.

Let this application for modification appear on 28.01.2026 at 12:00 noon.

(Biswaroop Chowdhury, J.)