



08.09.2026
Item No.3
Ct. No.19
KS

W.P.A. 36083 of 2013
Sri Ashutosh Biswas & Anr.
Vs.
The Union of India & Ors.

Mr. Shouvik Naskar
..... For the Petitioners
Ms. Anindita Maity
Mr. Debashish Basak
.....For the Respondent

1. The parties are represented by their respective learned counsel.
2. On behalf of the writ petitioner, a photocopy of the money receipt dated 31.07.2026 showing deposit of cost of Rs.5,000/- is filed and the same is taken on record.
3. It appears that the order dated 22.07.2026, as passed by this Court is fully complied with and in view of such, this Court formally records restoration of W.P.A. 36083 of 2013 to its original file and number.
4. On consent of both the parties, the instant writ petition is taken up for hearing.
5. By filing the instant writ petition, the writ petitioners have prayed for issuance of appropriate Writ/Writs against the respondent authorities, more specifically, against the respondent no.4 authority commanding him to consider and dispose of the representation dated September 3, 2013, a copy of which has been annexed at Page Nos.30 to 32 of the instant writ petition, in accordance with law.



6. At the time of hearing, learned advocate appearing on behalf of the writ petitioners, at the very outset, draws attention of this Court to Page Nos.27, 28 and 29 of the instant writ petition being, copies of three acknowledgement slips, as allegedly issued by the Postmaster of Kalatala Hat Post Office under Police Station – Ramnagar, District - South 24 Parganas.
7. It is submitted that it is the grievance of the writ petitioners that despite deposit of such amount under the aforementioned three acknowledgement slips, the Postal authority are not returning the said amount to the writ petitioners alongwith interest accrued thereon on some plea or other.
8. Drawing attention to Page Nos.30 to 32 of the instant writ petition, it is submitted that finding no other alternative, the writ petitioners had approached before the respondent authorities by submitting a representation dated 03.09.2013 and despite such submission of representation, no positive action has been taken up by the respondent authorities and thus, finding no other alternative, the writ petitioners have approached this Court with the prayers, mentioned in prayer portion of the instant writ petition.
9. Such prayers are vehemently opposed on behalf of the Postal authority.
10. It is submitted by learned advocate appearing on behalf of the Postal authority that there occurred a fraud in the said Post Office and for that reason, the writ petitioners are not entitled to the reliefs, as prayed for.



11. On careful consideration of the entire materials, as placed before this Court and after hearing the learned advocates for the contending parties, this Court finds that there are some prima facie materials to substantiate that the present writ petitioners have deposited some money with the said Post Office under various schemes, as would be evident from page nos.27 to 29.
12. It further reveals that despite submission of the representation dated September 3, 2013, the respondent authorities failed and neglected to consider the prayers of the writ petitioners, as submitted through such representation.
13. In view of such, this Court while disposing the instant writ petition, directs the respondent no.5 authority to consider the representation dated September 3, 2013, as submitted by the writ petitioners, in accordance with law and after giving due opportunity of hearing both to the writ petitioners and/or their authorized representatives, shall pass a reasoned order and shall forthwith communicate the same to the writ petitioners by Speed Post.
14. The entire exercise, as indicated hereinabove, shall have to be completed by the respondent no.4 authority positively within 30 working days from the date of communication of the server copy of this order alongwith a copy of the representation dated September 3, 2013.



15. The respondent no.4 authority is directed to act on the server copy of this order.
16. The time limit, as fixed by this Court, is peremptory and mandatory.
17. With the aforementioned observation, the instant writ petition is disposed of.
18. Before parting with, it is, however, made clear that since affidavits have not been called for, the allegations made in the instant writ petition, are deemed to have been denied.
19. It is further made clear that while disposing the instant writ petition, this Court has not gone into the merits of the representation dated September 3, 2013 and thus, all points are kept open for adjudication by the respondent no.4 authority.
20. It is further directed that in the event, while passing the reasoned order, the respondent no.4 authority finds sufficient justification in the representation dated September 3, 2013, as submitted by the writ petitioners, he is directed to take all consequential action forthwith.
21. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(PARTHA SARATHI SEN, J.)