



2026:CHC-JP:233

Form J(2)
Sl. No. 59
AB

High Court at Calcutta
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side

Present:
The Hon'ble Justice Aniruddha Roy

W.P.A. 1363 of 2025

Bimal Ch. Modak @ Bimal Modak
Vs.
The State of West Bengal & Ors.

For the petitioner

: Mr. Hillol Saha Podder
Ms. Mousumi Das

For the State

: None appears

Heard on

: August 10, 2026

Judgment on :

: August 10, 2026

[IN COURT]

Aniruddha Roy,J.

1. Mr. Hillol Saha Podder, learned advocate appears for the petitioner.
2. None appears for the State.
3. Mr. Jagriti Mishra, learned AAAG with Mr. Kunaljit Bhattacharjee, Learned AGP present in Court are requested to hold the brief to assist this Court in the matter. Ms. Radhika Agarwal, learned State advocate shall



assist Mr. Mishra. Their appearance shall be regularized by the office of the Legal Remembrancer forthwith. Affidavit of service filed in Court today is taken on record.

4. The pith and substance of the case of the petitioner is that, the property of the petitioner alleged to have been utilized for the purpose of the State. The petitioner has made a representation dated **September 19, 2024**, **annexure P-2** at **page 14** to the writ petition, before the respondent no. 6 but the same has not been considered.

5. Considering the submissions made on behalf of the petitioner a copy of the complete set of writ petition shall be served upon the respondent no. 3. The respondent no. 3 then upon issuing a prior hearing notice of at least **seven days** to the petitioner and the respondent no. 3 shall dispose of the representation of the petitioner by passing a reasoned order in accordance with law.

6. For such purpose, the respondent no. 3 shall be at liberty to take assistance of any State department he/she deems fit and proper.

7. The respondent no. 6 shall produce all the relevant records before the respondent no. 3.

8. The entire exercise shall be carried out and completed by the respondent no. 3 within a period of **eight weeks** from the date of communication of this order and the reasoned order shall be communicated to the petitioner within a further period of **two weeks** from the date of the said reasoned order to be passed.



9. In the event, the reasoned order goes in favour of the petitioner, all consequential steps shall be taken by the appropriate State authority but positively within a period of **six weeks** from the date of the said reasoned order to be passed.

10. It is made clear that, this order shall not create any right or equity in favour of the petitioner, if the petitioner is found otherwise not entitled to the relief claimed, strictly in accordance with law.

11. Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

12. With the above observations and directions, the writ petition being **W.P.A. 1363 of 2025** stands **disposed of**, without any order as to costs.

30. Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)