

**IN THE HIGH COURT AT CALCUTTA**  
[ CIRCUIT BENCH AT PORT BLAIR ]

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**WPA(P)/6/2025**

All India Kisan Sabha and Another

Vs.

Union of India and Others

Mr. Gopala Binnu Kumar

Ms. Manisha Mondal

... for the petitioners

Mr. Rakesh Kumar

... for the respondents

December 15, 2025

[SR]

Item No.02

Affidavit of service filed in Court is taken on record.

In spite of service, no one appears for the Union of India.

The petitioners have prayed for issuance of a writ in the nature of mandamus declaring the provisions of Regulation 38 & 159(2) of the 1996 Regulation is *ultra vires* and for issuance of a writ of mandamus directing the respondents to make necessary amendments in the said Regulation.

Since *vires* of certain provisions of regulation are under challenge, this Court feels that the same should be decided after exchange of affidavits.

Let the affidavit-in-opposition be filed within four weeks from date. Reply thereto, if any, be filed within two week thereafter.

The issue of maintainability of this writ petition is, however, kept open to be decided at the time of final hearing.

**(Hiranmay Bhattacharyya, J.)**

**[Shampa Dutt (Paul), J.]**