



Ct. No.8

Item No.DL/1

Saikat Mukherjee

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA(P)/506/2026

SURAJIT MONDAL

]... Petitioner

Versus

THE STATE OF WEST BENGAL AND OTHERS

].... Respondents

Appearance:

Mr. Kalyan Bandopadhyay, Sr. Advocate with Mr. Suman Sengupta, Mr. Anit Kumar Das, Mr. Ashish Dutta and Mr. Rahul Kumar Singh, Advocates for the Petitioner;

Mr. D.N. Ray, Sr. Advocate/G.P. (Virtually) with Mr. Anindya Basu, Sr. Govt. Adv., Mr. Pradip Mukherjee, Mr. Indradeep Pal and Mr. Bikash Kumar Sriwastav, Advocates for the Respondent-State;

CORAM : RAVINDRA V. GHUGE, C.J.
&
MD. SHABBAR RASHIDI, J.

DATE : 20th October, 2026.

ORDER (Per Court)

1. We have heard the Learned Senior Advocate, Shri Bandopadhyay along with Mr. Sengupta for the Petitioner and the Learned

Government Pleader Shri Ray along with Mr. Basu, Senior Government Advocate, on behalf of the State of West Bengal.

2. Shri Bandopadhyay submits that the State may file its Reply in the light of all the contentions made.

3. The Learned Government Pleader submits that the PIL Petition is not maintainable. Reliance is placed on a Judgment delivered by the Hon'ble Supreme Court in *State of Jharkhand vs. Shiv Shankar Sharma and Others, (2022) 19 SCC 626*.

4. The Learned Government Pleader submits that Affidavit-in-Reply (known as Affidavit-in-Opposition in the Calcutta High Court), would be filed and a copy will be supplied to the Learned Senior Advocate for the Petitioner.

5. Since the issue of maintainability has been raised, the Respondents are at liberty to file their specific objection with regard to the maintainability of the PIL, along with their reply, with proper pagination in continuation with the Petition.

6. Parties to note that this Court would consider the maintainability of the PIL and if the Petition is held to be maintainable, further issues would be taken up for adjudication, thereafter.

7. The learned Government Pleader submits that the Affidavit-in-Reply with pagination in continuation with the pagination of the Petition, would be filed on or before 20.11.2026 and a copy would be served within 24 hours to the Learned Senior Advocate for the Petitioner.

8. Since the Learned Senior Advocate, Shri Bandopadhyay submits that a Rejoinder Affidavit (Reply Affidavit) would be filed, let such Reply Affidavit be filed by 30.11.2026, with the pagination in continuation with the Reply/Opposition.

9. Considering the convenience expressed by the Learned Senior Advocate, Shri Bandopadhyay, as regards the next date in this matter, on his request, matter is posted in the 'Urgent Admission Category' on **11.12.2026**.

(Md. Shabbar Rashidi, J.)

(Ravindra V. Ghuge)
Chief Justice