24.09.2026
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MAT 751 of 2026
+
IA No.: CAN 1 of 2026 [Sec. 5]
+
IA No.: CAN 2 of 2026 [App. Order]
Biplab Bawali & Others
– Versus –
The State of West Bengal & Others

Ms. Malabika Saha
… for the Appellants.

Ms. Chandreyi Alam,
Ms. Kalali Dutta
… for the State/Respondents.

Ms. Piyali Sengupta,
Mr. Victor Chatterjee,
Mr. Pramitava Nath
… for the PSC.

Mr. Samim Ahammed,
Ms. A. Khatun,
Mr. Enamul Islam,
Ms. Reshma Khatun,
Ms. Sabnam Mostafi
… for the Respondent nos.8 to 10.

Affidavit-of-service, as filed, be kept on record.

The instant appeal has been preferred by the appellants, who had filed an application for intervention before the learned single Bench for their impleadment as party respondents in the writ proceedings, being WPA 9071 of 2024. The said application for intervention has not yet been taken up for consideration by the learned single Bench and the said writ petition is still pending for final adjudication.

In this appeal there is no application on behalf of the appellants for leave to prefer the instant appeal and

as they are not the parties to the original proceedings, a regular appeal at their instance is not maintainable in the eye of law.

Therefore, as the appeal has been preferred by the persons without praying for any leave, this appeal cannot be entertained on this ground.

Accordingly, the appeal along with connected applications is dismissed.

Dismissal of the appeal will not preclude / prevent the appellants to explore their remedy before the learned single Bench regarding their application for intervention in the said proceedings.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Partha Pratim Roy, J.) **(Tapabrata Chakraborty, J.)**