

Court No. 19
(265719)

22.04.2026
(AD 15)
(S. Banerjee)

WPA 9159 of 2026

Upahar Charitable Dispensary (Trust)
Vs.
The State of West Bengal & Ors.

Mr. Saptangshu Basu, Sr. Advocate
Ms. Smita Pal
Ms. Momita Mondal

...for the petitioner

Mr. Lalit Mohan Mahata, Ld. AGP
Mr. Prasanta Behari Mahata

...for the State

The supplementary affidavit filed in Court today is taken on record. A copy of such supplementary affidavit has been supplied to Mr. Mahata, learned AGP.

The petitioner claims to be the Secretary of Upahar Charitable Dispensary. He claims that the society is running a charitable dispensary on a plot of land being L.O.P. No. 283 in Kalitala Colony within the limits of Konnagar Municipality. Petitioner submitted several representations requesting the authorities to grant lease in respect of the aforesaid property. Since the respondent authorities were sitting tight over the matter, the petitioner submitted a comprehensive representation dated January 20,

2026 requesting the authorities to grant a long-term lease.

Mr. Basu, learned Senior Advocate appearing for the petitioner submits that the prayer of the petitioner for grant of long-term lease was duly recommended by various authorities to the Refugee Relief and Rehabilitation Department of the Government of West Bengal. He draws the attention of the Court to the building permit issued by the office of the Councillors, Konnagar Municipality dated November 30, 2009 and submits that the construction of the dispensary was made in accordance with the sanctioned plan and a substantial amount of money was also invested for such construction. He further submits that the said dispensary is catering to needs of the inhabitants of the locality. He further submits that several other occupiers of other portions of the said property have already been granted long-term lease in their favour under the Refugee Relief and Rehabilitation scheme but the case of the petitioner is yet to be considered. Mr. Basu places strong reliance upon the memo dated January 4, 2007 issued by the Joint Secretary, Relief and Rehabilitation Department, Government of West Bengal in support of his contention that the petitioner

is entitled to grant of long-term lease in terms of the said memo.

Mr. Mahata, learned AGP, submits that the decision on the application dated January 20, 2026 submitted by the petitioner shall be communicated to the petitioner within the time limit that may be fixed by this Court.

Without entering into the merit of the claim made by the petitioner in the application dated January 20, 2026, this writ petition stands disposed of by directing the Deputy Secretary, Relief and Rehabilitation Directorate, Government of West Bengal, being the respondent no. 2 herein, to consider the application dated January 20, 2026 and to dispose of the same by passing a reasoned order after affording an opportunity of hearing to the petitioner or his authorized representative and communicate the reasoned order to the petitioner as expeditiously as possible but positively within a period of 12 weeks from the receipt of a server copy of this order along with a copy of the application dated January 20, 2026.

It will be open to the petitioner to produce any Government Orders, notifications, etc. and/or any relevant materials in support of his claim for grant of

lease at the time of hearing before such authority and if such materials are produced, the authorities shall consider the same and pass orders accordingly.

The Additional District Magistrate, Howrah, being the 4th respondent, is directed to forward a copy of the application dated January 20, 2026 to the Deputy Commissioner, Relief and Rehabilitation Department, being the 2nd respondent, within two weeks from the date of receipt of a server copy of this order.

(Hiranmay Bhattacharyya, J.)