



02.05.2025  
Ct. No. 36  
Item no. 5  
Cp

WPA No. 13525 of 2021  
With  
CAN 1 of 2023

Overseas Scrap Trading Corporation  
Vs.  
Howrah Municipal Corporation & ors.

Mr. Shakti Nath Mukherjee, Sr. Advocate  
Mr. Tarique Quasimuddin  
Ms. Sanchita Chaudhuri

.....for the petitioner.

Mr. Sandipan Banerjee  
Mr. Ankit Sureka

....for the H.M.C.

Mr. Anirban Ray, Ld. GP  
Mr. Wasim Ahmed

.....for the State.

During the course of hearing, the State of West Bengal submits that the concerned land is recorded as a thika land. This submission changes the complexion of the litigation to a considerable extent. Under such circumstances, a clarity is required and the State respondents shall file a detailed report in support of such contention.

In the meantime, the Howrah Municipal Corporation shall conduct a survey of the land and structures thereon and file a report with photographs,



indicating the exact nature of construction standing thereon.

The report filed by the corporation today is taken on record. It appears that the stand of the corporation is very clear.

- a) The corporation considers itself to be the owner of the property.
- b) The corporation, in exercise of its power under Section 223 of the Howrah Municipal Corporation Act, 1980, put up the property for sale by way of auction.
- c) The petitioner was the highest bidder.
- d) The petitioner's bid was accepted.
- e) Advance money against the consideration, was accepted by the corporation in terms of the Notice Inviting Tender.
- f) In view of the notifications of the government and the land policy, the corporation sought for concurrence of the Urban Development Department. The corporation also approached the competent authority for correction of the record of rights.

The corporation does not accept the land to be a thika land and submits that appropriate prayer was made



before the Land Revenue Department for correction of the record of rights.

Mr. Ahmed, learned advocate appearing for the State respondents, shall file the report within May 23, 2025 and serve advance copies thereof to the learned advocates on record for the respective parties.

Let the matter appear on June 13, 2025, at 2 pm., as the first matter.

**(Shampa Sarkar, J.)**