



June 13, 2025  
Sl. No.12  
Court No.36  
s.biswas

WPA 13525 of 2021  
With  
CAN 1 OF 2023

*Overseas Scrap Trading Corporation*  
*vs.*  
*Howrah Municipal Corporation and others*

Mr. Tarique Quasimuddin  
Ms. Sanchita Chaudhuri  
... for the petitioner  
Mr. Sandipan Banerjee  
Mr. Ankit Sureka  
... for the Howrah Municipal Corporation

The Howrah Municipal Corporation has filed the report. It appears from the report that a survey of premises no.432, G. T. Road (N), Howrah 711101, measuring around 22260.47 sq.m. was conducted. The portion of the land enjoyed by the petitioner falls within the said area. As per the report there are 5 buildings, 87 hutments, bus stand, shops, factories and residential area. Over and above the aforementioned constructions, there is a school. A water tank is also under construction. Such report has been filed before the court to enable the court to assess the nature of construction on the said premises.

The state government had submitted on the earlier occasion that the land was a thika land. The Howrah Municipal Corporation however submits that it had always been the owner of the land and the corporation has approached the appropriate authority for appropriate orders in this regard.



The state government is silent and has not filed any report. The Government is not present before the court to oppose the application although the state government has the responsibility to assist the court in this litigation.

The Executive Engineer, Survey Department, Howrah Municipal Corporation, shall conduct further survey upon notice to the appropriate authority of the state government. The survey shall be conducted in the presence of the petitioner and either the Additional Secretary to the Government of West Bengal, Department of Urban Development or his representative. A report indicating whether the structures on the portion leased out to the petitioner are pucca structures or buildings shall be filed. The corporation will produce documents to show the steps that they have taken before the thika controller.

It is made clear that if the state government or its representative is not present on the date of such survey as filed by the corporation, the corporation shall proceed in their absence. An advance copy of the report shall be served upon all the parties.

Let the matter appear on August 6, 2025.

**(Shampa Sarkar, J.)**