

28.07.2026
sl 48
Ct No. 3
sb/tkm

**WPA 14878 of 2026
CAN 1 of 2026**

**Saraswati Parua & Ors.
Vs
State of West Bengal & Ors.**

Ms. Jhuma Sen
Mr. Deeptangshu Kar
... For the petitioners

Mr. Billwadal Bhattacharyya, Ld. AAG
Mr. Srijib Chakraborty
Mr. Arijit Dey
... For the KMC

In re: CAN 1 of 2026

1. Affidavit of service filed in court today be kept with the record.
2. The application being CAN 1 of 2026 has been filed inter alia praying for recall of the order dated 20th July 2026 dismissing the writ petition for default.
3. Having heard the learned advocates appearing for the respective parties and noting the explanation provided in the application, I am of the view that the order dated 20th July 2026 should be recalled. Accordingly, upon recall of the order dated 20th July 2026 the writ petition is restored to its original file and number.
4. CAN 1 of 2026 is allowed.

In re: WPA 14878 of 2026

5. It is unfortunate that without causing service of the supplementary affidavit on the Kolkata Municipal Corporation, the supplementary affidavit is sought to be filed on behalf of the petitioners in Court. Ordinarily, this Court would have out-rightly rejected the filing of such supplementary affidavit, however, having regard to the fact that petitioners claim that the Members of State Level Monitoring Committee for Shelter for Urban Homeless have identified the petitioners as homeless, leave is granted to the petitioners to file such supplementary affidavit subject to service of copies thereof on the advocate-on-record for the Kolkata Municipal Corporations in course of the day. Let the supplementary affidavit filed in Court be taken on record.
6. It is made clear that this matter is under active consideration of the Court. Consideration of this Court is, however, *qua* the petitioners only.

7. List this matter for further consideration under the same heading tomorrow **(29.07.2026)**.
8. Report filed by the learned Additional Advocate General, pursuant to the order dated 7th July, 2026 is taken on record.

(Raja Basu Chowdhury, J.)