



2026:CHC-AS:1081-DB

AD-3
Ct No.16
14.07.2026
(SSS)

MAT 1072 of 2026
with
CAN 1 of 2026

Md. Idrish and Ors.
Vs.
Union of India and Ors.

Mr. Kaustav Banerjee,
Ms. Ria Kundu
.....For the appellants.

Mr. Uday Sankar Bhattacharyya,
Mr. Tirtha Pati Acharyya
.....For the Union of India.

Mr. Subhankar Nag,
Mr. Ashok Jena,
Mr. Snehashis Sen,
Mr. Abhishek Banerjee
....For the Kolkata Port Trust.

1. Affidavit of service filed today be kept on record.
2. In the present appeal, an order passed by the learned Single Judge dismissing the writ petition of the appellants has been assailed. The appellants argue that they are residents of the subject premises which are being attempted to be demolished by the respondent-authorities. The appellants rely on purported Aadhaar cards



issued to some of the appellants indicating their residence at the subject premises.

3. The learned Single Judge proceeded to disbelieve such Aadhaar cards as proof of possession and came to the conclusion that the rigours of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 are not attracted, in view of the foundational fact of occupation of the appellants in respect of the subject premises having not been established.

4. However, learned counsel for the appellants argues that the definition of “demographic information” given in Section 2(k) of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 includes the address of the applicant as one of the components of “demographic information”. Again, in sub-section (1) of Section 3 of the said Act, the entitlement of a resident to obtain an Aadhaar card number is subjected to submission of his “demographic information and biometric information” by undergoing the process of enrolment. Sub-section (3) of Section 3, on the other hand, provides that on receipt of the “demographic information and biometric information” under sub-section (1), the Authority shall, *after verifying the information*, in such



manner as may be prescribed by regulations, issue an Aadhaar card number to such individual. Thus, it is argued that the very issuance of Aadhaar card presupposes prior verification by the authorities as to the “demographic information”, including the address of the applicant. Hence, production of Aadhaar cards is sufficient *prima facie*, although rebuttable, evidence of occupation of a person of the property shown as his address.

5. In reply, learned counsel appearing for the Port authorities seeks a day’s accommodation to meet such argument.

6. Accordingly, let the matter stand adjourned till July 16, 2026, when it will next be listed under the heading “Specially Fixed Matters”.

7. The respondents shall maintain *status quo* as of today in respect of the subject properties till July 17, 2026 or until further order, whichever is earlier. It is made clear that the merits of the appeal have not been gone into as yet and the above protection is merely granted on an *ad hoc* basis as of now.

(Sabyasachi Bhattacharyya, J.)

(Supratim Bhattacharya, J.)