

24<sup>th</sup> December,  
2021

**WPA 8812 of 2020**

CAN 1/2021

With WPA 18138/2014

IA CAN 1/2017 ( Old CAN 12226/2017), CAN 2/2018 ( Old CAN 7573/2018)

CAN 3/2019 ( Old CAN 10803/2019)

**(Via Video Conference)**

(18)

&

(19)

(BD)

Pradip Kumar Adhikari @ Adhikary & Anr.

-vs-

The State of West Bengal & Ors.

Mr. Ashok Kumar Chakraborti

Mr. Pinaki Ranjan Chakraborty

... for the Petitioners.

Mr. Kishore Dutta

Mr. Satyajit Talukdar

... for the KMDA.

The application being CAN 1/2021 is considered today and Mr. Ashok Kumar Chakraborti, learned senior advocate, appears on behalf of the applicants and makes submission in support of the prayer couched in the said application. The applicants, interalia, has prayed for a direction upon the respondents specially the KMDA Authorities not to carry on further construction works and not to interfere with the petitioners' possession and operation in respect of the brick kilns Nos. 42,44 and 45 at Akra Division, District- South 24 Parganas, till the disposal of the writ petition.

During hearing of this application Mr. Chakraborti has placed reliance on a letter dated 18<sup>th</sup> August, 2021 issued by the Executive Engineer, West Bank Division, GAP, W & S Sector, KMDA, which is annexed to a supplementary affidavit filed today on behalf of the writ petitioners and the copy of the supplementary affidavit has been handed over to the learned advocate of the KMDA authorities today.

Mr. Kishore Dutta, learned Senior advocate, appears on behalf of the KMDA authorities and submits that since the supplementary affidavit enclosing the said letter dated 18<sup>th</sup> August, 2021 is served upon the learned advocate today he needs to obtain instructions on the said letter.

This Court has considered the submissions made on behalf of the applicants as well as the respondent KMDA authorities and grant leave to the respondent authorities to file an affidavit-in-opposition to this application as well as supplementary affidavit within one week after the Christmas vacation and reply, thereto if any, to be filed within one week thereafter.

Let this application appear under the same heading on 20<sup>th</sup> January, 2022 for further consideration.

At this stage this Court refrains itself from passing any order on this application considering the order passed by the Co-ordinate Bench while considering this writ petition at the Motion stage on 15<sup>th</sup> February, 2021.

(Saugata Bhattacharyya, J.)