

D/L- 21
03/12/2025
Ct. No.-19
Aritra

WPA 20562 of 2025

**Smt. Ranu Dutta & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Partha Chakraborty
Mr. Rishabh Dutta Gupta

....for the petitioners

Mr. Satyajit Talukder
Mr. Arindam Chatterjee

....for the KMDA

Mr. Tapan Kr. Mukherjee, Sr. Adv.
Ms. Tuli Sinha

....for the State

Mr. Talukder, learned advocate for the KMDA raises an issue that service of an order passed under Section 3(1) of the West Bengal Land (Requisition & Acquisition) Act, 1948 is not mandatory but directory.

Mr. Chakraborty, learned advocate placed reliance upon some decisions of the co-ordinate Bench as well as Hon'ble Division Bench in support of his contention that it has been held therein that service of an order passed under Section 3(1) of the 1948 Act is mandatory.

Mr. Talukder contends that the issue as to whether service of an order passed Section 3(1) of the 1948 Act is mandatory or directory did not fall for consideration in any of the decisions cited by Mr. Chakraborty.

Since an interesting point of law having wider ramification has been raised in this writ petition, this

Court requests Mr. Debayan Bera, learned senior advocate to assist this Court on such issue as *amicus curie*.

The learned advocates for the respective parties are directed to supply a list of the decisions along with photocopy of the same which they seek to rely upon in support of their respective contentions to Mr. Bera by Wednesday (10/12/2025).

List this matter on January 14, 2025 at 2.00 p.m. under the heading “Motion”.

(Hiranmay Bhattacharyya, J.)