

D/L- 2
25/03/2026
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. Tapan Kr. Mukherjee, Sr. Adv.
Ms. Tuli Sinah

....for the State

Mr. Satyajit Talukder
Mr. Arindam Chatterjee

....for the KMDA

Mr. Debayan Bera, Sr. Adv.

....*Amicus Curiae*

This matter was mentioned yesterday (24/03/2026) by Mr. Talukder, learned advocate for the KMDA. He submitted that a decision has been rendered by the Hon'ble Division Bench in ***Madhurina Mitra vs. State of West Bengal & Ors.***, reported at ***2026 SCC Online (Cal) 817***, holding the decision of the earlier Division Bench in the case of ***Sailendranath Pal*** (supra) as *per incuriam*.

In view of such submission this Court directed this matter to be placed under the heading 'To Be Mentioned' today.

Since the learned advocate for the respective parties express their desire to make submission on the applicability or otherwise of the decision of the Hon'ble Division Bench in ***Madhurina Mitra*** (supra), this Court feels that an opportunity should be given to the advocates

to make their submission. Accordingly, the order dated January 28, 2026 is recalled.

This Court invited the learned advocates to make their submissions on the said decision.

Heard Mr. Bera, learned *amicus curiae* on the said decision.

Heard Mr. Chakraborty, Mr. Talukder and Mr. Mukherjee on the said issue.

Hearing stands concluded. Judgment stands reserved.

(Hiranmay Bhattacharyya, J.)