

**IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE**

33 07.11.2024  
Sc Ct. no.2

**WPA 24695 OF 2024**  
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Sri Netai Chand Halder & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Shibaji Kumar Das  
Mr. Samrat Choudhury.

.....For the Petitioners

Mr. Satyajit Talukder  
Mr. Arindom Chatterjee.

....For the Respondent  
No.10/KMDA

Affidavit-of-service, filed in Court today, is taken on record.

Mr. Shibaji Kumar Das, learned counsel appears for the petitioners.

Mr. Satyajit Talukder, learned counsel appears for the respondent no.10.

None appears for the rest of the respondents including the State.

Mr. Talukder, learned counsel for the respondent no.10 KMDA has raised the **point of maintainability** of this writ petition on the ground that, through this writ petition the petitioners effectively seek removal of trespasser from the alleged land which is not maintainable before a Writ Court.

Such submission is also denied on behalf of the petitioners.

Considering the importance of the issue involved in this case, Mr. Chandi Charan De, learned Additional Government Pleader is requested to appear in the writ petition to assist this Court henceforth for the State respondents and his appearance shall be regularized forthwith by the office of the Legal Remembrancer.

Affidavits are called for.

The respondents shall file affidavits-in-opposition on or before **December 20, 2024**.

Affidavit-in-reply, if any thereto, shall be filed on or before **January 21, 2025**.

The writ petition shall appear under the heading "**Hearing (Land)**" in the **Combined Monthly List of February, 2025**.

Learned advocate on record for the petitioners shall serve a copy of the writ petition along with a copy of today's order upon Mr. Chandi Charan De, learned Additional Government Pleader to enable him to file affidavit-in-opposition.

**(Aniruddha Roy, J.)**