

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO(P)/1/2024
SK. MAHBUB HOSSAIN
VS.
THE STATE OF WEST BENGAL AND ORS.

BEFORE:

THE HON'BLE JUSTICE SUJOY PAUL, CHIEF JUSTICE
AND

THE HON'BLE JUSTICE PARTHA SARATHI SEN

Date : 27th February, 2026.

Appearance :

*Mr. Sirsanya Bandopadhyay, Sr. Standing Counsel
Mr. Debangsu Dinda, Adv.
...for State*

*Mr. Ashoke Kr. Chakraborty, Ld. ASGI
Mr. Sukanta Chakraborty, Adv.
Mr. Tirthapati Acharyya, Adv.
...for the respondent no.2*

*Mr. Ashok Kumar Banerjee, Sr. Adv.
Mr. Alak Kr. Ghosh, Adv.
Mr. Nilotpal Chatterjee, Adv.
Mr. Arijit Dey, Adv.
...for respondent Nos.12 & 13 / KMC*

*Mr. Somnath Bose, Adv.
..for CESC Ltd.*

*Sk. Md. Galib, Adv.
Mr. Abu Siddique Mallik, Adv.
..for Respondent Nos.14 & 15, Board of Waqf, WB.*

*Mr. Kamlesh Jha, Adv.
Md. Raihan Islam, Adv.
..for respondent no.27*

1. Parties through their counsel.
2. During the course of hearing, learned ASG submitted that in view of the order of Hon'ble Supreme Court dated 17th September 2024 passed in SLP (Civil) No.11834 of 2024 and two orders of this Court dated 23rd April 2025 and 22nd May 2025, the municipal corporation was required to

comply with the orders and report compliance before this Court, failing which, this Court directed that it may direct personal appearance of the Commissioner of Police, Kolkata and Commissioner of KMC.

3. Learned ASG submits that sufficient time elapsed but till date the order of this Court, which received seal of approval from Hon'ble Supreme Court, has not been translated into reality. In addition, the subsequent orders passed by the Division Bench on 23rd April 2025 and 22nd May 2025 have not been implemented.
4. Faced with this, learned counsel for KMC prays for and granted two weeks' time as a last chance to file his report which shall disclose about their action for implementation of the aforesaid order of the Hon'ble Supreme Court coupled with two orders of this Court dated 23rd April 2025 and 22nd May 2025. Mr. Bandopadhyay for the State submits that he shall also file report in relation to the said aspect within 15 days.
5. Thus, the KMC and State must file their report within 15 days by supplying copy to all the counsel for the parties. In turn, exception may be filed within 15 days therefrom. If no report is filed, this Court may direct personal presence of the Commissioner of Police, Kolkata and Commissioner of KMC.
6. List this matter with connected applications in the second half of April 2026.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)