

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/115/2026

MD. NAZIM AND ORS.
VS
THE OFFICIAL TRUSTEE, GOVERNMENT OF WEST
BENGAL AND ORS

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : 31st March, 2026.

Appearance:

Md. Farhaduddin, Adv.
Mr. Siddhartha Ruj, Adv.
Ms. Era Ghosh, Adv.
Mr. Shabbir Yazdane, Adv.
... for the petitioner.

Mr. Indranil Nandi, Adv.
Mr. Sayak Konar, Adv.
... for respondent no.1.

Mr. Sayan Ganguly, Adv.
Mr. Ratul Das, Adv.
... for the State.

Mr. Alak Kumar Ghosh, Adv.
Mr. Gopal Chandra Das, Adv.
... for the KMC.

1. The petitioner has filed the present writ application praying for an order upon the respondent nos. 1, 4 and 5 not to give any effect or further effect to the notice dated 23rd February, 2026 and allied prayers.
2. Learned Counsel appearing for the Official Trustee of the West Bengal has drawn the attention of this Court that the Official Trustee has already filed an application before the interlocutory Court being AOT/1/2026. In the said case the petitioner has already filed an application being GA/1/2026 in AOT/1/2026 praying for leave to

intervene in the said application filed by the Official Trustee of the West Bengal.

3. In AOT/1/2026 the Coordinate Bench of this Court has already passed an order on 19th March, 2026 which reads as follows:-

“It is submitted by the Official Trustee that some of the encroachers claiming to be the tenants without any valid documents are trying to re-enter the premises and get electric connection to establish their possession.

The Commissioner of Police, Kolkata, the Deputy Commissioner of Police, Kolkata (Central) and the Officer-in-charge, Hare Street Police Station shall ensure that there is no intrusion into the subject premises. The CESC Limited is also directed not to give any fresh connection or re-install the electric connection if any to anyone at the concerned premises.”

4. Considering the above, this Court finds that it is not proper for this Court to hear the present writ application separately from AOT/1/2026.
5. Accordingly, WPO/115/2026 is released from the list of this Court with the liberty to take appropriate steps to assign the matter before the appropriate Court where the AOT/1/2026 is pending.

(KRISHNA RAO, J.)