

OD-2 & 3

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/1792/2022
With
IA No.GA/2/2024
GA/3/2024
GA/4/2025
GA/5/2025

LANSDOWNE MARKET BABSAYEE
SAMITY AND ANR.

-VERSUS-

THE KOLKATA MUNICIPAL
CORPORATION AND ORS.

WPA/1787/2025

SUSMITA BHOWMICK AND ORS.

-VERSUS-

THE KOLKATA MUNICIPAL
CORPORATION AND ORS.

WPO/35/2025

BISWANATH PAUL

-VERSUS-

THE KOLKATA MUNICIPAL
CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA DUTT (PAUL)

Date : 6th November, 2025.

Appearance:

Mr. Subhomoy Paul, Adv.

Mr. Anish Chakraborty, Adv.

...for the petitioner in WPO/1792/2022.

Mr. Alak Kumar Ghosh, Adv.

Ms. Manisha Nath, Adv.

...for the petitioner in WPA/1787/2025.

Ms. Manju Agarwal, Sr. Adv.
Ms. Anju Manot, Adv.
Ms. Ruchi Hallen, Adv.
...for the respondent/developer.

Ms. Srijani Mukherjee, Adv.
...for the applicant in GA/4/2025.

Mr. Biswajit Mukherjee, Adv.
Mr. Gopal Chandra Das, Adv.
Ms. Ananya Das, Adv.
...for the KMC.

Mr. Manoj Malhotra, Adv.
Mr. Manoj Kumar Mondal, Adv.
...for the State.

The Court: Affidavit of rejoinder, filed by the petitioners in WPA/1787/2025, in Court today is taken on record.

On hearing learned counsel appearing for the said petitioners, respondent/developers and the Kolkata Municipal Corporation (KMC), it appears that the developer is ready and willing to extend all co-operation to provide alternate accommodation with infrastructure to the petitioner in WPA/1787/2025 herein. It is submitted that the 2nd phase which is to be constructed on getting vacant possession from these writ petitioners (9+1), the developers undertake to complete the 2nd phase within two years from the date of handing over possession of the said portion.

Learned counsel for the petitioners in WPA/1787/2025 submits that he has laid down his grievances in the affidavit of rejoinder filed today with copy served upon the learned counsel for the respondent/developer and the Kolkata Municipal Corporation (KMC). It is submitted that the same may be considered by the respondent herein and that their grievance may be addressed accordingly.

Considering the said facts, learned counsel for the developers shall place necessary instructions before this Court received from her client relating to the following issues:

- i) The alternate accommodation to be provided to the petitioners in WPA/1787/2025;
- ii) The maximum period within which 2nd phase of the development shall be completed;
- iii) The grievance and the infrastructure required by the said petitioners while carrying on their business in the alternate accommodation, shall be duly addressed and the manner;

The Kolkata Municipal Corporation (KMC) is also at liberty to place their instructions before this Court on the next date of hearing.

The petitioners in WPO/1792/2022 and the applicant in GA/4/2025 being not connected to the construction in respect of the 2nd phase shall be heard on subsequent dates.

It appears that the petitioners in WPO/35/2025 are not being represented today. Accordingly, the parties herein shall serve a notice upon the learned counsel for the petitioner in the said writ application with a notice to attend the hearing fixed on the next date to enable the Court to proceed with passing necessary direction for commencement of the 2nd phase of development.

Let the matter appear on 13th November, 2025 at 2:00 P.M.

(SHAMPA DUTT (PAUL), J.)