

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 : 27th November, 2025.

Appearance:

Mr. Anindya Lahiri, Sr. Adv.

Mr. Puspall Chakraborty, Adv.

Mr. Prasanna Ganguly, Adv.

Mr. Samrat Dey Paul, Adv.

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

Mr. Alak Kumar Ghosh, Adv.
Ms. Manisha Nath, Adv.
...for the petitioner in WPA/1787/2025.

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

Mr. Manoj Malhotra, Adv.
Mr. Manoj Kumar Mondal, Adv.
...for the State in WPO/1792/2022.

Mr. Dwarika Nath Mukherjee, Adv.
Mr. Sagnik Bhattacharya, Adv.
...for the State in WPA/1787/2025.

Ms. Manju Agarwal, Sr. Adv.
Ms. Anju Manot, Adv.
Ms. Ruchi Hallen, Adv.
...for the respondent no.9.

The Court: As directed by the Court, respondent no.9 has placed photocopy of the agreement and a copy of the renewal letter. Respondent no.9 has also filed an affidavit showing the latest status of the development of the market and a separate sheet has been placed showing alternative accommodation to be provided to the writ petitioners in WPA/1787/2025. The arrangement and infrastructure as stated by the respondent no.9 are denied by the said writ petitioners.

Learned counsel appearing for the writ petitioner in WPO/1792/2022 prays for leave to inspect the copy of the agreement which has been filed by the respondent no.9. Ms. Agarwal, submits that they are not ready and willing to permit the said petitioners to inspect the said document.

It is submitted by Mr. Alak Kumar Ghosh, learned advocate appearing for the petitioner in WPA/1787/2025 that the first phase has to be totally completed and only then the next phase can be taken up for development. Admittedly, only

the ground floor and the first floor of the first phase is complete, as stated by the respondent no.9, which is again denied by Mr. Ghosh.

Considering all these points and the materials on record, this Court intends to go through the agreement and the judgment of the Division Bench to consider as to whether the development of the property is being conducted as per the agreement and the direction of the Division Bench.

In view of the said fact, the matter be listed on 8th January, 2026 for further hearing and necessary orders.

Considering the fact that at this stage this Court intends to go through the agreement, necessary orders in respect of the prayers made by the petitioner shall be considered on the next date.

(SHAMPA DUTT (PAUL), J.)