

ORDER

OD-3&4

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO(P)/8/2025
IA NO:GA/1/2025, GA/2/2025, GA/3/2025,
GA/4/2025, GA/5/2025, GA/6/2025, GA/7/2025

SUKHENDU BANERJEE
VS.
THE STATE OF WEST BENGAL AND ORS.

WT
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 : 6th February, 2026.

Appearance :
Mr. Mainak Bose, Sr. Adv.
Mr. Ratul Das, Adv.
Ms. Anjushree Mukherjee, Adv.
Mr. Sagar Dutta, Adv.
...for petitioner.

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. Saptansu Basu, Sr. Adv.
Mr. Tanmoy Sett, Adv.
Mr. Pran Gopal Das, Adv.
...for respondents in GA/3/2025 & GA/4/2025

Mr. Ayan Banerjee, Adv.
Mr. Tanmoy Sett, Adv.
Mr. Pran Gopal Das, Adv.
...for Applicant in GA/5/2025 & GA/6/2025

Mr. Kallol Basu, Sr. Adv.
Mr. Nilanjan Paul, Adv.
Mr. Arijit Basu, Adv.
Mr. Tanmoy Sett, Adv.
...for respondent no.23 & Applicant in GA/7/2025

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.

Ms. Ipsita Ghosh, Adv.
Mr. Rabiul Islam, Adv.
..for respondent no.30. in WPO(P)/8/2025

Mr. Somnath Gangapadhyay, Adv.
.... For applicant/Intervenor in GA/1/2025 & GA/2/2025

Mr. Manoj Malhotra, Adv.
Mr. Arkadip Sengupta, Adv.
..for respondent nos.10 & 11

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

Mr. Kamlesh Jha, Adv.
..for respondent no.26 in WPO(P)/8/2025

Mr. Anish Kumar Mukherjee, Adv.
Ms. Bidisha Chatterjee, Adv.
...for respondent nos.32 & 33 in WPO(P)/8/2025

Mr. Subhrangsu Panda, Adv.
Mr. Sumitava Chakraborty, Adv.
Ms. Bratati Pramanick, Adv.
Mr. Ratul Ghoshal, Adv.
Mr. Anupam Singha, Adv.
...for respondent no.34 in WPO(P)/8/2025

The Court: Parties through their learned Counsel.

Learned ASG and learned counsel for Kolkata Municipal Corporation filed their reports. The reports are taken on record. Both the learned counsel are requested to supply the copies of these reports to all the arguing counsel by Monday (9th February, 2026) to enable the other sides to file their exceptions within three weeks therefrom.

IA No. GA/1/2025, GA/3/2025 and GA/5/2025 seeking addition/impleadment of the parties are taken up. In the applications, the applicants have stated the reasons as to why they are necessary parties in this matter. None of the counsel for the parties objected to the said applications.

Accordingly, GA/1/2025, GA/3/2025 and GA/5/2025 are allowed.

So far as other applications are concerned, they shall be considered on the next date of hearing.

At this stage, learned ASG placed reliance on an order dated 22nd May, 2025 in connected item and urged that despite the Court expressing displeasure and issuing specific directions, this order has not been implemented till date. Prior to this, the affected parties assailed the main order before the Hon'ble Supreme Court unsuccessfully. The Supreme Court allowed demolition. Yet, no demolition activity even commenced. Learned counsel for the Kolkata Municipal Corporation is directed to take care of this aspect while filing exception to the report filed by the learned ASG.

List after three weeks with connected applications.

In view of the disposal of GA/1/2025, GA/3/2025 and GA/5/2025, liberty is given to the learned advocate on record for the writ petitioner to make necessary insertion in the cause title positively in course of today in the department.

Registry is further directed not to show pendency of the instant three applications during the subsequent listing of this case.

Learned counsel for the respondent No. 34 has filed its affidavit in opposition which is taken on record. Let copy of the opposition be provided to all the counsel appearing in these matters to enable them to file their exceptions, if any, within three weeks.

(SUJOY PAUL, C.J.)

(PARTHA SARATHI SEN, J.)