

08.04.2021
(S/L-124)
Ct.-18
(Susanta)

(Via Video Conference)

W.P.A. 549 of 2020
With
I.A. No. C.A.N. 1 of 2020 (Old C.A.N. 4245 of 2020)

Mrs. Kalpana Jana Das
-Vs-
State of West Bengal & Ors.

Mr. Partha Chakraborty,
..... For the Petitioner.

Mr. Satyajit Talukdar,
..... For the Respondent Nos. 3 & 4.

Mr. Satyajit Talukdar, learned advocate appearing on behalf of the Kolkata Metropolitan Development Authority files affidavit-in-opposition to the writ petition, and reply thereto filed by Mr. Partha Chakraborty, learned advocate for the petitioner are taken on record.

The grievance of the petitioner in the instant writ petition is that she has purchased a plot of land measuring about 7 Cottahs, 4 Chittacks, 14 Sq. Ft. more or less being Municipal Premises no. 35, Rajdanga Gold Park, Kolkata-700107 comprised in R.S. Dag No. 2488/2763 but the KMDA authority is disturbing her possession over the said land claiming that the said land has been acquired by them.

Mr. Partha Chakraborty learned advocate for the petitioner submits that the petitioner in the instant writ petition could not challenge the purported acquisition proceeding with much precision since she was not aware of the particulars of the alleged

acquisition proceeding but from the affidavit-in-opposition of KMDA, the details of the said acquisition proceeding since has come to her knowledge, the petitioner intends to challenge the said acquisition proceeding with sufficient particulars.

That being the stand of the petitioner, W.P.A 549 of 2020 is disposed of with the observation that the petitioner is free to challenge the said acquisition proceeding in accordance with law notwithstanding the disposal of the present writ petition without any order.

The connected application being I.A. No. C.A.N. 1 of 2020 (Old C.A.N. 4245 of 2020) is also disposed of accordingly.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)