

WPA 4956 of 2024

**Shahidul Hassan & Ors.
vs.
The State of West Bengal & Ors.**

Mr. Abdur Rakib
Mr. S. Sarkar
Mr. Ishan Sen

....for the petitioners

Mr. Anirban Ray, Ld. G.P.
Mr. Tanoy Chakraborty
Mr. Debraj Sahu

.....for the State

Mr. Naba Kumar Das
Mr. P.B. Banerjee

.....for the KMDA

The petitioners pray for a direction upon the respondent No. 2 to issue a fresh deed of lease in their favour, upon the death of their mother. The petitioners have not been able to satisfy the Court with regard to the terms and conditions of the lease deed. Thus, no mandamus can be issued.

The writ petition is disposed of with a direction upon the respondent No. 3, that is the Estate Manager, Kolkata Metropolitan Development Authority to treat the writ petition as a representation of the petitioners and decide whether the petitioners can be allowed to continue to be in possession of the property in question either as lessees or heirs of lessees, as the case may be, in accordance with the clauses in the lease deed.

Such decision shall reach the petitioners within a period of three months from the date of communication of this order.

One of the representatives of the petitioners shall be heard by the authority concerned, before any order is passed.

An order with reasons shall be communicated to the petitioners.

All parties are to act on a server copy of this order.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties expeditiously after completion of all necessary formalities.

(Shampa Sarkar, J)