

29.08.2024
Item No.44
PG/KS
Ct. No.1

W.P.A.(P) 350 of 2024

**Sri Sudip Naskar & Anr.
Versus
Kolkata Municipal Corporation & Ors.**

Mr. Barun Kumar Samanta

.....For the Petitioners

Mr. Ayan Banerjee

Mr. Partha Sarathi Sen Sharma

..... For the State

Mr. Alak Kumar Ghosh

Mr. Arijit Dey

.....For the K.M.C.

Mr. Aditya Chakraborty

Ms. Chaitali Mukhopadhyay

.....For the Private Respondent

1. Petitioners by way of filing this public interest litigation allege that the land classified as a pond has been filled up.
2. As rightly pointed out by the learned advocate appearing for the Kolkata Municipal Corporation, the extent in the particular Dag number has not been mentioned in the representation, since in the land record, there are several khatians.
3. Therefore, we dispose of the writ petition giving liberty to the petitioners to give a proper representation to the concerned authority clearly indicating the extent of the land, which is alleged to have been encroached.

4. Needless to state, if such representation is submitted, the concerned authority shall consider the same in accordance with law after notice to all concerned as expeditiously as possible.
5. With this above direction/observation, writ petition stands disposed of.
6. No costs.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)