

September 24, 2025
Sl. No.19
Court No.8
s.biswas

WPA(P) 330 of 2023
With
CAN 3 of 2025
CAN 4 of 2025

Sagufa Hossain
vs.
The State of West Bengal and others

Mr. Vipul Kundalia, Sr. Adv.
Mr. Anurag Roy
Mr. Dhirodatto Chaudhuri
... for the petitioner

Mr. Biswabrata Basu Mallick
Ms. Amrita Panja Moulick
... for the State

Mr. Biswaroop Bhattacharya
Mr. Sumitava Chakraborty
Ms. Priyadarshini Mukherjee
... for the applicants in CAN 3 of 2025
& CAN 4 of 2025

Ms. Sonal Sinha
Mr. Sandipan Das
Ms. Shabnam Farooqui
... for the EKWMA/Respondent no.12

1. Parties are represented through their respective learned counsel.
2. CAN 3 of 2025 is taken up wherein applicants prayed for permission to participate in the proceedings. Reliance is placed on the order of this court passed on September 16, 2025, whereby certain persons were permitted to participate in the proceedings.
3. CAN 4 of 2025 is filed for recalling the order dated 06.08.2025. In a nutshell, it is prayed that similar interim protection may be given to these interveners which was given to the relevant interveners on 16th September, 2025.

4. We have heard the parties at length. We have perused the record and the documents annexed with both the CANs. It shows that applicants Kamla Devi and Mohd. Naushad Khan could not file any sale deed which at least prima facie show their title on the property. On the basis of agreement to sell, no right accrued in their favour. Therefore, CAN 3 of 2025 and CAN 4 of 2025 which relate to Kamla Devi and Mohd. Naushad Khan are concerned are rejected.
5. Since other applicants have filed the sale deeds and one of the applicants, namely, Sk. Zakir Ahamed is also mutated in the record, we prima facie deem it proper to extend the benefit of order dated 16th September, 2025 in favour of these five applicants, namely, Sk. Zakir Ahamed, Azad Hossain, Md. Mustaqim, Asmat Ali Molla and Mohammad Kalam. Necessary corrections be made in the cause title.
6. Accordingly, the order dated 16th September, 2025 passed by this court shall cover these five applicants also. They will enjoy similar protection which was given by this court on 16th September, 2025. Needless to mention that authorities are also having same liberty to proceed against these applicants as mentioned in the said order. The two applicants for whom the applications are rejected, are at liberty to avail remedy before

appropriate forum. Accordingly, CAN 3 of 2025 and CAN 4 of 2025 are disposed of.

(Sujoy Paul, J.)

(Smita Das De, J.)