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10.12.2025
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Ct.3.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 24047 of 2025

Baidyanath Das & Anr.
Versus
The State of West Bengal & Ors.

Mr. Sayan Chattopadhyay
Mr. Rokon Ali Molla
Mr. Ayanava Acharya
Ms. Suprava Jana
... For petitioners.

Mr. Gobinda Chandra Bandopadhyay
Mr. Sourav Goswami
... For Uluberia Municipality.

Mr. Debjit Mukherjee
Ms. Priyanka Jana
... For the State.

1. Affidavit of service filed in Court is taken on record.
2. The present writ petition has been filed challenging the memo dated 5th June, 2021 whereby the petitioners' application for recording holding nos. 513/442/389 in ward no. 22(05) under Uluberia Municipality has been rejected.
3. Having heard the learned advocates appearing for the respective parties, I find that the petitioners' application has been rejected without giving an opportunity of hearing to the petitioners.
4. Having regard thereto, I am of the view that the aforesaid order of rejection cannot be sustained. The same is accordingly set aside.

5. The Municipal authorities are directed to reconsider the petitioners' application for recording their names in respect of holding no. 513/442/389 of ward no.22 (05) of irrigation land under Uluberia Municipality upon giving an opportunity of hearing to the petitioners and all interested parties and by passing a reasoned order in accordance with law. The aforesaid decision must be taken by the municipality as expeditiously as possible, preferably within a period of three weeks from the date of communication of this order.

6. The order so passed by the municipality shall be communicated to the parties immediately upon passing of such order. It is made clear that this Court has not decided on the merits of the case and the municipality shall proceed and decide being uninfluenced by any of the observations made herein.

7. With the above observations and directions, the writ petition is disposed of.

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

(Raja Basu Chowdhury, J.)