

24.11.2025
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WPA 24977 of 2025

Sujan Bera
Vs.
The State of West Bengal & Ors.

Mr. Firdous Samim
Ms. Gopa Biswas
Mr. Hasanuz Zaman Molla
Ms. Brinta Dutta
..... for the petitioner

Mr. Biman Halder
..... for the State

1. Let affidavit-of-service as filed in Court be kept on record.
2. A peculiar situation has arisen in this matter.
The petitioner was initially allotted a flat on the first floor of the Belgachia Villa, MIG Housing Estate, pursuant to an application, being flat no. "X/3".
3. After such allotment, the petitioner, due to an ailment pertaining to him, sought for a flat on the lower side preferably on the ground floor, being more accessible to him.
4. Mr. Samim, learned Advocate appearing for the petitioner, submits that thereafter the petitioner had sought for a three bed room flat in view of the openness and size, as his wife was suffering from a decease, which had no cure or medicine. The

petitioner had been allotted a flat on the second floor being no. "B/6". It is this allotment, which was not regularized and was challenged before this Hon'ble Court by way of a writ petition.

5. He also submits that the writ petition was disposed of on September 25, 2025, thereby directing *"the authority shall take steps to regularize flat no. B/6 in favour of the petitioner at the earliest in the event there is no impediment in law to do so. If flat no. B/6 cannot be regularized in favour of the petitioner as per his entitlement, the same shall be made known to him"*.

6. Pursuant to the aforesaid direction, the respondent no. 3, by the order of October 15, 2025, had directed the petitioner to vacate flat no. B/6 which he has been occupying since July 2, 2025.

7. He further submits that he has spent a sum, slightly in excess of Rs.4.79 lakhs, to renovate the said flat being no. B/6 and cannot be permitted to leave it at the present moment.

8. Mr. Halder, learned Advocate appearing for the respondents, submits that the respondents' submission may be summarized as under :

(a) The allotment of flat being no. B/6 had been made by mistake;

(b) There are allegations that the petitioner had been engaged in money laundering as alleged by the tenants' association;

9. Heard the learned Advocates for both the parties and perused the materials on record.

10. In so far as the allegation of mistaken allotment is concerned, the same has not been made before this Hon'ble Court while disposing of the earlier writ petition being WPA 22980 of 2025 on September 25, 2025.

11. In so far as the allegation of money laundering is concerned, the letters of the tenants' association categorically denying any such allegation is on record as it appears from pages no. 57 and 59 of the writ petition.

12. It has also not in dispute that the writ petitioner has been allotted and is in possession of flat no. B/6 since July 2025 and that the decision of the respondent no. 3 was passed in terms of the order of this Hon'ble Court.

13. The respondent no. 3 is directed to consider whether or not the allotment to the petitioner of flat no. B/6 can be regularized, bereft of the consideration of inadvertent allotment and allegations of money laundering, both which have been found to be devoid of any merit.

14. Let such consideration be made within a period of six weeks from date, positively by January 10, 2026, and the same be intimated to the petitioner.

15. The writ petition is, thus, disposed of with the aforestated directions.

16. There shall, however, be no order as to costs.

17. Since no affidavit has been called for, the allegations contained in the writ petition are deemed to be denied.

18. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)