

Item No.21
17.03.2026
Court. No. 12
GB

MAT 429 of 2026
With
CAN 1 of 2026

Nibedita Das Pandit
Vs.
The State of West Bengal & Ors.

*Mr. Shambhunath Ray,
Mr. Samir Kumar Adhikari,
Ms. Munmun Das,
Mr. Kazi Asif Iqbal*

...for the Appellant.

*Mr. Aniruddha Chatterjee, Sr. Adv.,
Mr. Sounak Bhattacharya,
Mr. Sounak Mondal,
Mr. Abhirup Halder*

...for the Respondent No.8

*Ms. Jyotsna Roy Mukherjee,
Ms. Srijani Mukherjee,
Ms. P. Dutta*

...for the State.

1. This appeal has been filed at the instance of the added respondent in WPA 30021 of 2024.
2. We find that the learned Judge, upon finding that the writ petitioner was in possession of a conversion certificate, by which the relevant plot of land from 'Jaal' to 'Hatkholā' (cow market), relegated the writ petitioner/respondent no.8 to the concerned authority and directed that the land conversion certificate shall be produced before the Executive Officer, Chandipur Panchayat Samiti. The Executive Officer, Chandipur Panchayat Samiti was directed to take a fresh decision regarding the issuance of the licence, in light of the aforesaid land conversion

certificate dated September 28, 2004, within a period of one month from the date of communication of this order.

3. The appellant is aggrieved by the order on the ground that, by taking advantage of the said order impugned before us, an illegal cow market was being run without a valid licence.
4. We are of the view that the learned Single Judge did not allow operation of a market without any licence. The learned Single Judge set aside the order dated December 12, 2024 and directed the Executive Officer, Chandipur Panchayat Samiti to decide the issue afresh, as to whether licence could be granted to the respondent no.8 on the basis of a conversion certificate.
5. Under such circumstances, the apprehension of illegal operation of a cow 'haat' from the plot in question on the strength of the order impugned before us, is misconceived. Nobody can operate any market illegally and without any licence from the Samiti.
6. Under such circumstances, the appeal and the connected application are disposed of with the above observations. The order of the learned Single Judge does not call for further interference as we have clarified the position. The authority has already been directed by the learned Single Judge to decide the

matter expeditiously. It is expected that the same will be done.

7. Parties are directed to act on the basis of the server copy of this order.
8. Leave is granted to cure the defect in the appeal by the learned Advocate on record for the appellant.

(Shampa Sarkar, J.)

(Ajay Kumar Gupta, J.)