

16.04.2026
Item No. 28
PG/
Ct. No.1

W.P.A. (P) 167 of 2026
Md. Sabir & Anr.
Versus
The State of West Bengal & ors.

Mr. Tanmoy Mukherjee
Ms. Swarnali Saha.....for the petitioners

Mr. Nilotpal Chatterjee
Ms. Joyee Maity.....for the State

Ms. Manisha Nath....for the KMC

DICTATED BY SUJOY PAUL, C.J.:

1. Learned counsel for petitioners seeks to withdraw this petition with the liberty to file appropriate objection in relation to properties mentioned in paragraph 33 of this PIL, which reads thus:

“33. The Petitioners state that the right of the Petitioners to freely profess, propagate and practice religions is protected under Article 25 of the Constitution of India and in view thereof, any harm, damage to the said room where “Qutub Dwara Hajrat Data Md. Jan Qadri Sha Rahamatullah” used to meditate of about 100 years old or more would interfere with “Urus” in regard to honour of the departed Soul of “Qutub Dwara Hajrat Data Md. Jan Qadri Sha Rahamatullah” and thus would violate fundamental rights of

practice and propagation of their religion.”

2. Other side has no objection.
3. The PIL is disposed of by reserving liberty to the petitioners to file such objection before the appropriate authority of Kolkata Municipal Corporation.
4. In that event, we have no doubt that the competent authority will deal with the said objection in accordance with law.
5. With aforesaid observations and without expressing any opinion on the merits, this PIL is disposed of.
6. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)