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rkd 25.06.2026
Ct.05

W.P.A. 13578 of 2026

Smt. Bani Halder

-vs-

The State of West Bengal & Ors.

Mr. Samrat Choudhury,
Mr. Ronit Naskar

....for the petitioners.

Mr. Partha Chakraborty,
Ms. Sumita Sarkar

....for the State.

Mr. Satyajit Talukder,
Mr. Arindam Chatterjee

....for the KMDA.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. By presenting this writ petition prayer is made for a direction upon the concerned police authorities to protect the land of the petitioner from illegal encroachment.
3. Mr. Talukder, learned advocate representing Kolkata Metropolitan Development Authority has opposed this writ petition on the count that plot in question was acquired by the State Government along with other plots.
4. The relevant notifications relating to the acquisition proceedings of the plot in question are notification Nos.8282-L.A.(PW)/1M-78/82 dated 21st November, 1983 and notification Nos.8284-

L.A.(PW)/1M-23/83 dated 1st December, 1983.

5. Present petitioner had challenged aforesaid notifications relating to acquisition proceedings by filing a writ petition being WPA 10085 of 2012 (Bani Halder –vs- The State of West Bengal & Ors.). It is contended on behalf of KMDA that said writ petition is pending for final adjudication.
6. Unless fate of the aforesaid writ petition is decided by the High Court wherein propriety of acquisition notifications are questioned, reliefs prayed for in this writ petition cannot be delved into.
7. Moreover, pendency of the writ petition challenging acquisition notifications is not disclosed in this writ petition.
8. Hence, writ petition stands dismissed.
9. Since no affidavits are called for allegations made in the writ petition are deemed not to have been admitted.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)