

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/42/2026
ABDUL SHAMAD
VS
THE STATE OF WEST BENGAL AND ORS.

BEFORE:
THE HON'BLE JUSTICE RAJA BASU CHOWDHURY
Date: 5th March, 2026

Appearance:
Mr. Yash Vardhan Deora, Adv.
Mr. Aasish Chourdhury, Adv.
Ms. Shivansi Indoria, Adv.
...For the Petitioner

Mr. Nilotpal Chatterjee, Adv.
Ms. Piyali Sengupta, Adv.
...For the K.M.C

The Court:- 1. Although the present writ petition has been filed, inter alia, praying for a direction upon the Municipality to ensure that the petitioner is able to carry out the effective repairs in the petitioner's stall without unlawful interference, however, upon going through the application made by the petitioner dated 20th March, 2025, it is not clear the extent of repair that the petitioner intends to undertake in respect of its Stall No.93, Block A, Orphangunge Market.

2. Having regard thereto, I am not inclined to entertain the writ petition at this stage.

3. Dismissal/disposal of the petition shall not interfere with the rights of the petitioner to make an appropriate application disclosing all details for carrying out the repair with the Municipality.

4. The petitioner thus will be at liberty to apply before the Municipality afresh by indicating the extent of repairs he wants to undertake which must be supported by a sketch map of the Stall and the photographs therefor. If such application is made, the Municipality shall consider the same in accordance with law.

5. Accordingly, the writ petition stands disposed of.

(RAJA BASU CHOWDHURY, J.)

JM