



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

I. A. No. **60** of 2026/EZ

In

(Original Application No. 155/2024/EZ)



In The Matter of:

An application Under Section 19(4)(a) read with Under Section 18 (1) of the National Green Tribunal Act, 2010 for modification of Solemn Order dated 18.03.2026, passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata in connection with Original Application No. 155/2024/EZ;

AND

In The Matter of:

Kolkata Municipal Corporation,
through the Municipal Commissioner
... Applicant

-Versus-

Salboni Apartment Owner's
Association & Ors.

... Respondents

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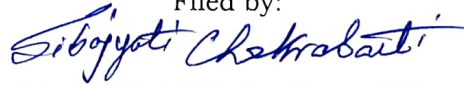
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12 MAY 2026

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Filed by:



Mr. SIBOJYOTI CHAKRABARTI,
Advocate,

Kolkata Municipal Corporation

(M): 9007035534

Email: subho.advocate@gmail.com



-X-

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

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I. A. No. of 2026/EZ

In

(Original Application No. 155/2024/EZ)

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AND

In The Matter of:

Kolkata Municipal Corporation through the Municipal Commissioner having office at 5, S. N. Banerjee Road, Kolkata: 700013.
E-mail : subho.advocate@gmail.com

..... Applicant

-Versus-



~~*~~

1. Salboni Apartment Owner's Association through its authorized members Sri Samar Kumar Saha and Sri Indranil Hazra, of 64/98/C, Khudiram Sarani, Kolkata: 700037.

Email: poushali_b@yahoo.com

.... Respondent No.

1/Applicant in O. A

2. The Department of Environment, notice through the Additional Chief Secretary, Department of Environment, Government of West Bengal "Pranisampad Bhaban", 5th Floor, LB-II, Sector- III, Bidhannagar, Kolkata- 700106.

E-mail: psecy.env-wb@gov.in



3. The West Bengal Pollution Control Board represented through its Member Secretary, having office at 10A, Block-LA, Sector-III, Salt Lake City, Kolkata: 700106.

~~X~~
Email: net.wbpcb-wb@bangla.gov.in

4. Eastern Railway, through the Senior Divisional Engineer/I, DRM Building, Eastern Railway, Sealdah Division, Kolkata: 700014.

Email: srdeemusdah@gmail.com

5. Deputy Commissioner of Police North & North Sub Urban Division, having office at 113, Acharya Prafulla Chandra Road, Kolkata: 700009.

Email: dcnorth@kolkatapolice.gov.in



6. State Wetlands Authority West Bengal, the Department of Environment, Government of West Bengal, having office at "Pranisampad Bhaban", 5th Floor, LB-II, Sector- III, Bidhannagar, Kolkata- 700106.

E-mail: pccfwl-wb@nic.in

... Respondents

- 8 -

To,

The Hon'ble Chairperson and His Companion Member of the said Hon'ble Tribunal.

The Humble petition on behalf of the applicant as above named most respectfully

SHEWETH:

1. That the instant original application has been filed by the applicant and the same is pending for adjudication before this Hon'ble Tribunal.
2. That during the course of hearing on 18.03.2026 it has been observed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata in paragraph number 7 "*In view of the precautionary principle embodied in Section 20 of the National Green Tribunal Act, 2010 and the facts and circumstances of the present case, respondents are directed to desist from raising any construction over any part of 'Salboni lake/pond' in question.*"
3. That it has been further observed in Paragraph 8 of the Solemn Order "The Commissioner, Presidency Division, Kolkata and the Commissioner of Police, Kolkata are directed to take all requisite



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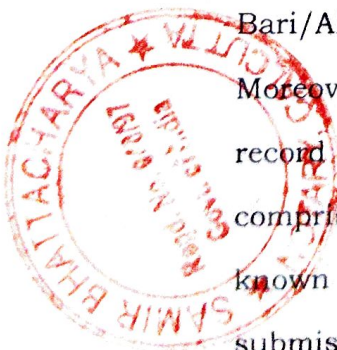
steps for ensuring that no construction is raised in any part of 'Salboni lake/pond' in question".

Server copy of Solemn Order dated 18.03.2026 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata is annexed herewith and marked with the letter 'P-1'.

4. That at the commencement it is stated and submitted that this applicant being a statutory authority as per Article 12 of the Indian

Constitution has undertaken the project namely Banglar Bari/ Affordable Housing in Partnership (AHP) with the approval of Ministry of Housing and Urban Affairs, Government of India for implementation of the said project. The revenue record of KMC clearly specifies/records the existence of pure land measuring an area approximate 22 Bigha at premises number (3/1) & (3/1/1), Jiban Krishna Ghosh Road, Kolkata. Out of which only apprx. 7 Bigha of land has been considered and approved by the competent authorities for implementation of the said Banglar Bari/AHP project.

Moreover, it is humbly submitted that as per the said Revenue record of KMC, Premises no. (3), Jiban Krishna Ghosh Road comprises of apprx. 9 Bigha of land + tank which is locally known as Salboni Jheel or Pond. Therefore, the statement or submission made by the applicant in present O.A on



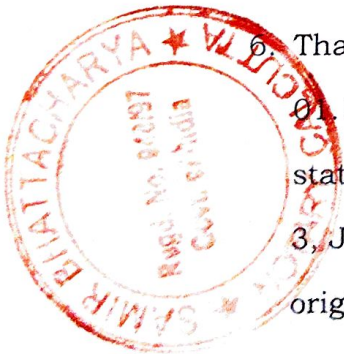
~~8~~

18.03.2026 before Hon'ble N.G.T that 'Salboni Lake/Pond' measuring an area of 32 Bighas situated at Premises no- 3, 3/1, 3/1/1 Jiban Krishna Ghosh Road is misleading and not true.

5. It is also stated that the implementation of the said project which is taking place on premises no. (3/1/1), Jiban Krishna Ghosh Road will not affect the existing Salboni Jheel which is present on premises no.3, Jiban Krishna Ghosh Road. Infact this aspect has also been elaborately stated by the applicant/KMC in its affidavit dated 01.11.2024 submitted before the Hon'ble Tribunal.

Photocopies of Revenue Record effective year 1/04-05 and Resolution of 176th meeting of the Water Body Management Board on 20.1.2024 are collectively annexed herewith and marked with the letter 'P-2'.

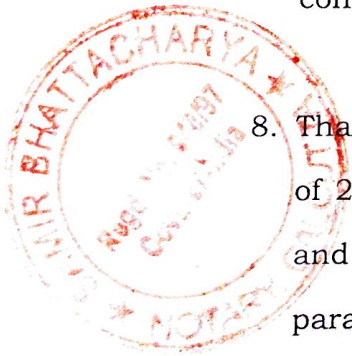
6. That it is also humbly submitted that in its Affidavit dated 01.11.2024 the applicant/KMC has clearly denied and interalia stated that there is no filling up of jheel situated at premises no. 3, Jiban Krishna Ghosh Road as alleged by the applicants in the original Application. Moreover the competent authority had issued notice U/s 17A of the West Bengal Inland Fisheries act, 1993 dated 16.05.2017 for taking over management and control of water body which was renotified on dated 30.10.2024 that the same water body is butted and bounded on the North side-



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vacant land, South side-Chitpur Railway Track & Railway Gate, East Side-Sealdah Main Line Railway Track, West side-premises No.3, 3/1 and 3/1/1.

7. That the premises number 3, Jiban Krishna Ghosh Road, comprises of land and tank and that the premises number 3/1 & 3/1/1 Jiban Krishna Ghosh Road comprises of land wherein the project (AHP/Banglar Bari) as above referred to is being constructed (on premises number 3/1/1), Jiban Krishna Ghosh Road where as in respect to the other two premises (3)& (3/1)Jiban Krishna Ghosh Road, the Kolkata Municipal Corporation is not implementing the said project. Moreover the three premises as stated above belong to the State Government and the land records of KMC Assessment Department in this connection have already being filed before the Hon'ble Tribunal.



8. That it is submitted that simultaneously a PIL being WPA (P) 198 of 2024 had been filed before the Hon'ble High Court, Calcutta and the same had been disposed off on 06.02.2025. In paragraphs 4 and 5 it has been observed by the Hon'ble High Court of Calcutta that KMC authorities have inter alia undertaken that the project will not affect the Salboni Jheel and there is no contemplation for filling up the Salboni Jheel or any part thereof. Hon'ble NGT vide its order dated 15.05.2025 pleased to record that the applicant in present O.A has placed

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the judgment an order of Hon'ble High Court, Calcutta dated 06.02.2025 had been preferred.

Server copy of the Solemn Order dated 06.02.2025 passed by the Hon'ble High Court Calcutta is annexed herewith and marked with the letter 'P-3'.

9. That it is submitted that against this Order of Hon'ble High Court of Calcutta one Sri Dipanjan Bose had preferred a Special Leave Petition before the Apex Court and this fact has been completely concealed and suppressed before the Hon'ble Tribunal while making submissions which interalia include that the respondent number 1/applicant in the OA had preferred an IA for impleadment in Special Leave Petition (Civil) No. 21674-21675 of 2025 and Special Leave Petition (Civil) Diary No. 36585/2025 before the Hon'ble Supreme Court of India. The said petition is sub-judiced and pending for adjudication the Hon'ble Supreme Court of India.

Photocopy of the Latest Order of Special Leave Petition and Petition for Impleadment are collectively annexed herewith and marked with the letter 'P-4'.

10. That in the affidavit dated 30.06.2025 submitted by the applicant/KMC it has been specifically stated that from the KMC

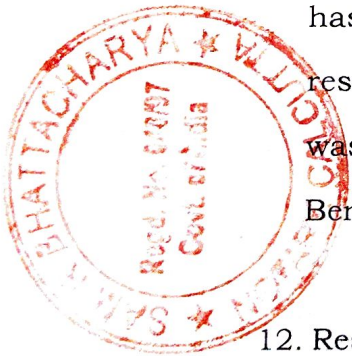


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Assessment Department Revenue Record comprising Inspection Book (Certified copies) it has been seen that the project Banglar Bari comprises of a land of 7 Bigha 2 Katha 15 Chatak 17 Sq. Ft. out of total land area of 31 Bighas, 10 cottahs covering the above three number of premises i.e. (3), (3/1) & (3/1/1) Jiban Krishna Ghosh Road, ward-3, Br.-I and the project at premises number 3/1/1 Jiban Krishna Ghosh Road is a social welfare project for the construction of 384 numbers of dwelling units for shelter for poor and slum people.

11. Moreover to cordoned off the aforesaid existing 3 premises as noted above beside this Salboni Jheel, the Uttaran Services Department has started the Land Development work. The Demarcation of the 3 premises following the CIT Scheme No.148 has been done and the Hon'ble Court may kindly note that for restoration of jheel, which lying neglected for years and which was taken over by KMC vide notification U/s 17A of the West Bengal Inland Fisheries act, 1993 dated 16.05.2017.

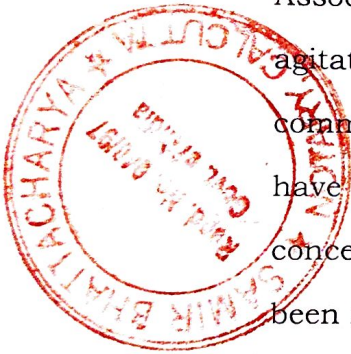
12. Restoration process of the said Salboni Jheel has already initiated by the Environment & Heritage department of the KMC as DPR submitted before UD & MA Department Govt. of West Bengal in January, 2026 So that proper restoration of the waterbody can be done.



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Photocopy of the letter dated 07.01.2026 sent from the office of the KMC to the UD & MA Department government of West Bengal along with demarcation Plan of the jheel following CIT Scheme No.148 are annexed herewith and marked with the letter 'P-5'.

13. That during Land development work, it is notice/found that there were some unauthorized constructions built on the access road of KMC where the Banglar Bari project to be implemented and when the officials tried to demolish the said unauthorized structure some people from the Salbani Apartment Owners Association and surrounding Birendra Nagar Area created agitation and they are also hindering the process of commencement of construction work. In this regard complaints have been made to the local police station and with assistance of concern police station the said unauthorized construction has been removed.



14. That it is most humbly submitted before this Hon'ble Tribunal that taking into consideration the fact as enumerated above the Hon'ble Tribunal may kindly be pleased to recall the observations made in paragraphs 7 and 8 of the Solemn Order dated 18.03.2026 and permit the constructions to be carried out in the project Banglar Bari being a social welfare project for the poor people and is being carried out on government land

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(premises no.3/1/1, Jiban Krishna Ghosh Road) without any kind of filling up of the Salbani jheel which is lying at premises No. (3), Jiban Krishna Ghosh Road.

15. That this application is made bonafide and unless this application is allowed by this Hon'ble Tribunal the applicant will suffer irreparable loss and injury.

Under the above circumstances it is most humbly prayed before Your Lordships may kindly be pleased to allow this application for modification of Solemn Order dated 18.03.2026 and be pleased to modify the said solemn Order dated 18.03.2026 passed by the Tribunal and may kindly be pleased to recall the observations made in paragraphs 7 and 8 of the Solemn Order dated 18.03.2026 and permit the constructions to be carried out in the project 'Banglar Bari' being a social welfare project for the poor people and carried out on



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government land without any kind of filling up of the Salbani jheel. and to pass such further Order/Orders as to this Hon'ble Tribunal may deem fit and proper for the ends of justice.

And For This Act of Kindness Your Applicant as in duty bound shall ever pray.





VERIFICATION:

I, the deponent above- named, do hereby verify and declare that the statements made in the aforesaid paragraphs are true and correct to the best of my knowledge and information and I believe that nothing material has been concealed there from.

Verified at Kolkata on the 12th Day of May, 2026.

Identified by me

Sibojyoti Chakrabarti

Advocate

12.05.2026

Kolkata Municipal Corporation

Enrolment No: WB/1730/2010.

Samdip Saha
Deponent
Executive Engineer (Civil)
Uttaran Services Department
K. M. C.





AFFIDAVIT



I, SRI SANDIP SAHA, S/o Ranada Prasad Saha, aged about 48 years, by faith- Hindu, by occupation- service, and presently posted as Executive Engineer, Uttoran Services Department, Kolkata Municipal Corporation, having office at 1, Hogg Street, Hogg Building, 3rd Floor, Kolkata: 700087, do hereby solemnly affirm and declare as follows: -

- 1. That I am the applicant in the instant Interlocutory Application and well conversant with the fact and circumstance of the case and I am competent to sign and swear this affidavit.
- 2. That I have read and Understood the contents of the accompanying application and say that the facts stated above are true and correct as per my personal knowledge and legal advice received by me are the best of my knowledge and belief.

Identified by me

Sibojyoti Chakraborti

Advocate
Kolkata Municipal Corporation

12.05.2026

Sandip Saha

DEPONENT

Executive Engineer (Civil)
Uttaran Services Department
K. M. C.



Samir Bhattacharya
Notary Govt. of India
Regd. No. - 940 / 97
CITY CIVIL COURT, CALCUTTA

Signature/s of the Executant/s
are Attested in the Identification
of the Advocate

[Signature]
Notary
12.5.26

12 MAY 2026

" Annexure - P-1 "

~~17~~

Item No.12

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.155/2024/EZ

Salboni Apartment Owner's Association

Applicant

Versus

State of West Bengal & Ors.

Respondents

Date of hearing: 18.03.2026

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Paushali Banerjee, Advocate for the applicant (physically in PB).

Respondents: Mr. Rajib Ray, Adv for respondents no.1, 5 and 6 (through VC).
Mr. Sibojyoti Chakrabarti, Advocate for respondent no.2 (through VC).
Mr. Dipanjan Ghosh, Advocate for respondent no.3 (through VC).
Mr. Ashok Prasad, Advocate for respondent no.4 (through VC).

ORDER

1. The Applicant-Salboni Apartment Owner's Association filed the present Original Application seeking restoration of the water body known as 'Salboni lake/pond' measuring an area of 32 bighas situated at Premises No.3, 3/1, 3/1/1, Jiban Krishna Ghosh Road, near 64/69 Kudiram Bose Sarani (Belgachia Milk Colony), Belgachia, Ward No.3, Kolkata.

2. Vide order dated 07.08.2024, notice of the O.A. was ordered to be issued to the respondents.

3. In the course of hearing, reports/affidavits have been filed by the respondents and on conclusion of hearing, the case was listed for final hearing.

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4. Written notes on behalf of respondents no.1, 5 and 6 have been filed. However, written notes have not been filed by the applicant and other respondents.
5. Adjournment is sought today by learned Counsels for respondents.
6. In the interest of justice, adjournment is granted.
7. In view of the precautionary principle embodied in Section 20 of the National Green Tribunal Act, 2010 and the facts and circumstances of the present case, respondents are directed to desist from raising any construction over any part of 'Salboni lake/pond' in question.
8. The Commissioner, Presidency Division, Kolkata and the Commissioner of Police, Kolkata are directed to take all requisite steps for ensuring that no construction is raised in any part of 'Salboni lake/pond' in question.
9. List on 14.05.2026 for final hearing.
10. A copy of this order may be sent to the Commissioner, Presidency Division, Kolkata and the Commissioner of Police, Kolkata by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

March 18th, 2026
Original Application No.155/2024/EZ
SN

Annexure - P-2

The Kolkatal Corporation
INSPECTION OF AND BUILDINGS

Name of Inspector: Pandya Narayan Phallabhai
Effective Qr. of Revision: 197

Ward No. 03

Street No. 07

Name of the Street: J. K. Ghosh Rd

Premises No.	Character of Premises		Name and address of the recorded Owner/Lessee/Sub-Lessee, Person liable to pay Consolidated Rate.	Date of issue of return u/s 181(f) or (2) to the owner or occupier	Date of receipt of return from the Owner with other information, if any	Date of issue of certificate of occupancy u/s 17(5) - Existing annual valuation with date of effecting quarter and objection, if any	Area in Sq. Mts			Date of Occupancy certificate / date of Owner in case of new building u/s 17(5)	Revised Annual Valuation	Grounds of increase (Code Nos. in Notice form)	Remarks			
	No.	Nature of use					Land	Total covered area	Total					If applicable u/s 17(5)	Determined under other Sections	16
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
		Land	Kanu Kaishora Mission Trustees 5th Mile Camp 23/9 Netaji Subhas Road Kolkata - 700001													

Details of last assessment:

15-003070006-5

As decided by Hearing Officer if any supported by document

Paraphrase of Revised Assessment

Residential & Non-residential uses should be grouped separately.

11/98-99
A.V. 5,04,000/- (50)

M.I.C vide the resolution in Agenda Item No. M 38.39 dated 09-02-2025 approved the proposal for recording the premises nos 3, 3/1 & 3/1/A, J.K. Ghosh Road, Kolkata-700003 in the records of the A.C.M. in favour of the Kolkata Municipal Corporation. Administrative approval obtained vide the approval of the Hon'ble Mayor dated 15/09/25 in the e-file computer No 1272602.

S. J. Bhullar
for the ps.
22/10/25

Certified to be true copy

P. S. Ghosh
A.C. DIV-III
ASSESSMENT COLLECTION

A.V fixed as 20% increase of previous valuation.
i.e. 5,04,000 x 2% = 1,00,800
5,04,000 + 1,00,800 = 6,04,800/-

A.V Confirmed at Rs 6,04,800/- (exclusive)
Dipak Kumar Chakrabarti
Calculation
H.O (16) A.V 604,800/-
13/11/24

Details of last assessment:

11-00207-0181-3

As decided by Hearing Officer if any supported by document

Paraphrase of Revised Assessment

Residential & Non-residential uses should be grouped separately.

11/98-99
A.V 48800/-
A.C.I 2/2/09

A.V fixed as 10% increase of previous valuation.
i.e. 48800 x 10% = 4880
48800 + 4880 = 53680

53500/-
Sent to the City
A.V fixed at 53500/-
M. 29/06/09
H.O II

Calculation
48800 x 10% = 4880
48800 + 4880 = 53680

The Kolkata Corporation
INSPECTION BUILDINGS

Name of Inspector (in full) Baidyanarayan Bhattacharya
Effective Qr. of Revolution 1/04/98

Premises No.	Character of Premises		Name and address of the recorded Owner/Lessee/Sub-Lessee, Person liable to pay Consolidated Rate.	Date of issue of return u/s 118(1) or (2) to the owner or occupier	Date of return from the Owner with rent and other information, if any.	Date of receipt of return from the Occupier with rent and other information, if any.	Area in Sq. Mts.			Occupancy as per the Owner in case of new building u/s 171(5)	Existing annual valuation with date of effective quarter and objection, if any	Revised Annual Valuation		Grounds of increase (Code Nos. in Notice form)	Remarks	
	No. of Storeys	Nature of use					Land	Total covered area	Total			If applicable u/s 171(5)	Determined under other Sections			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
311			Ram Krishna Mission Trustees The Mitra Comms 23A Netaji Subhas Road. Kolkata - 700007									1440	1,00,800/-		6	

Details of last assessment:

15 003 07 0007-7

1/98-99
84,000/- (5.0)
M.I.C vide the resolution in Agenda Item No. M.38.39 dated 09-02-2025 approved the proposal for recording the premises nos. 3, 3/A & 3/B/1, J.K. Ghosh Road, Kolkata - 700037 in the Records of the A.C(N) in favour of the Kolkata Municipal Corporation. Administrative approval obtained vide the approval of the Hon'ble Mayor dated 15/03/25 in the e-file computer No. 1272002.

[Signatures]
15.03.25

Monthly Rent: As decided by Hearing Officer if any supported by document

Particulars of Revised Assessment:
Accommodation and Name of Occupier

as per i.e. revised valuation
i.e. $84,000 \times 20\% = 16,800$
 $84,000 + 16,800 = 1,00,800/-$
A.V. 1,00,800/-

[Handwritten note]

Calculation

A.V. 1,00,800/-

Certified to be true copy

[Signature]
15/09/25
A.A.C. DIV-III
ASSESSMENT COLLECTION (N)

311/2 Land Same as above

Details of last assessment:

15 003 07 0008-9

1/98-99
11,76,000/-
M.I.C vide the resolution in Agenda Item No. M.38.39 dated 09-02-2025 approved the proposal for recording the premises nos. 3, 3/A & 3/B/1, J.K. Ghosh Road, Kolkata - 700037 in the Records of the A.C(N) in favour of the Kolkata Municipal Corporation.

Monthly Rent: As decided by Hearing Officer if any supported by document

Particulars of Revised Assessment:
Accommodation and Name of Occupier

as per i.e. revised valuation
i.e. $11,76,000 \times 20\% = 2,35,200/-$
 $11,76,000 + 2,35,200 = 14,11,200/-$
A.V. 14,11,200/-

14,11,200/-

Calculation

A.V. 14,11,200/-

Ram Krishna Mission Trustees
The Mitra Complex
23A Netaji Subhas Road,
Kolkata - 700007
15 CG 3 04 0007-7

Details of last assessment

1/98-99
84,600/- (5.0)
M.J.C vide the resolution in
Agenda Item No. M.38.39 dated
09-02-2025 approved the proposal for
recording the premises nos. 3, 3/1 & 3/1/1,
J.K. Ghosh Road, Kolkata - 700037 in the Records
of the A.C(N) in favour of the Kolkata Municipal
Corporation. Administrative approval obtained
vide the approval of the Hon'ble Mayor dated
15/03/25 in the e-file computer No. 1272602.

[Signatures]
15/03/25
15/03/25
15/03/25

Monthly Rent
As decided by Hearing Officer
If any document supported by

Particulars of Revised Assessment
Accommodation and Name of Occupier
Floor area
Covered
Location
Storey &

Residential & Non-residential uses should be grouped separately.

1440

1,00,800/-

01-04-68

as per i.e. - revised valuation
i.e. $84,000 \times 20\% = 16,800$
 $84,600 + 16,800 = 1,00,800/-$
A.V. 1,00,800/-

Calculation

A.V. 1,00,800/-

land Same as above

Details of last assessment : 15 003 07 0008-9

1/98-99
11,76,000/-
M.J.C vide the resolution in
Agenda Item No. M.38.39 dated
09-02-2025 approved the proposal for
recording the premises nos. 3, 3/1 & 3/1/1,
J.K. Ghosh Road, Kolkata - 700037 in the Records
of the A.C(N) in favour of the Kolkata Municipal
Corporation. Administrative approval obtained
vide the approval of the Hon'ble Mayor dated
15/03/25 in the e-file computer No. 1272602.

[Signatures]
15/03/25
15/03/25
15/03/25

Monthly Rent
As decided by Hearing Officer
If any document supported by

Particulars of Revised Assessment
Accommodation and Name of Occupier
Floor area
Covered
Location
Storey &

Residential & Non-residential uses should be grouped separately.

11340

14,11,200/-

01-04-68

as per i.e. - revised valuation
i.e. $11,76,000 \times 20\%$
 $= 2,35,200/-$
 $11,76,000 + 2,35,200/-$
 $= 14,11,200/-$
A.V. 14,11,200/-

Calculation

A.V. 14,11,200/-

For office use only

Certified to be true copy

[Signature]

~~X~~

06.02.2025
Item No.3
PG/KS
Ct. No.1

W.P.A.(P) 198 of 2024
Vivekananda Sarkar & Ors.
Versus
The State of West Bengal & Ors.

Mr. Durga Prosad Dutta ,
Mr. Souvik SenFor the Petitioners

Mr. Kishore Dutta, Ld. A.G.
Mr. Anirban Roy, Ld. G.P.
Mr. Sk. Md.Galib
Mr. Debraj Sahu
Mr. Sayak ChakrabortyFor the State

Mr. Alok Kr. Ghosh
Mr. Arijit DeyFor the K.M.C.

Mr. Gouranga Kumar Das
Mr. Pradyut SahaFor the Respondent Nos.5 to 7.

1. The writ petition has been filed alleging that the respondents are proceeding to fill up a water body by putting up construction.
2. Respondent/ Kolkata Municipal Corporation was directed to file a report and the Executive Engineer (C), B.S. Kolkata Municipal Corporation has given written instructions to the learned Standing Counsel for the Kolkata Municipal Corporation dated 3rd July, 2024. In the said report it has been stated as follows:-

"It is not disputed that the competent authority issued the notice dated 16.05.2017 for taking over the management control of the water body upon recording its boundaries without however identifying the same by any premises number, the basis of issuances of the said notice was official notes as prepare by the concerned department. It appears that Environment & Heritage Department at that time did not verified the assessments record of the recorded premises along with the respective nature of uses. It appears that the location of the Jheel/the water body with its boundaries was

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based on aerial survey map i.e. National Remote Survey Agency (NRSA) map. The petitioners have also raised their contentions to identify the location of the Jheel based on the satellite image as obtained from Google Earth. But the satellite image and the NRSA Map are apparently at variance with the physical condition of the area in question as existing since long. It further appears from the records that there was no further development in connection with taking over management control of the water body after issuance of the said notice dated - 16.05.2017. In fact, taking over the management control was/is on paper. However, the KMC and its authorities have not taken step nor there is any contemplation to fill up the existing Salboni Jheel or any part thereof in any form of manner at premises no 3 J.K. Ghosh Road.

The Govt. of West Bengal has approved a project namely 'Banglar Bari' Project based on Pradhan Mantri Awas Yojna with the approval of Ministry of Housing and Urban Affairs, Govt of India for implementation thereof on the government land at premises no 3/1 & 3/1/1 J. K Ghosh Road, Kolkata. The proposed project will be implemented on an area of land measuring about 7 bighas (more or less). The Project is now at final Stage towards implementation thereof. The proposed project will not affect the existing Salboni Jheel at a distance of 225 m towards north."

3. Learned advocate appearing for the petitioners would submit that as per the Master Plan, the water body has to be preserved.
4. After taking into consideration the submission made on behalf of either side and the stand taken by the Kolkata Municipal Corporation with the above-mentioned report, we note that the project viz. 'Banglar Bari' has been implemented and it is in the final stage of completion and the Kolkata Municipal Corporation has undertaken that the project will not affect the existing Salboni Jhill, which is at the distance of 225 meters towards North. In order to ensure that the project does not, in any manner, affect

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the existing Shalboni Jhill, Kolkata Municipal Corporation shall ensure that the area is clearly cordoned off and if it is feasible to erect the boundary wall to prevent any encroachment into the Shalboni Jhill, the same shall be examined by Kolkata Municipal Corporation and necessary action be taken in accordance with law.

5. Furthermore, the specific stand taken by Kolkata Municipal Corporation is that Kolkata Municipal Corporation and its authorities are not taking any steps nor there is any contemplation to fill up the existing Shalboni Jhill or any part thereof, in any form or manner at premises No.3, J. K. Ghosh Road is placed on record.
6. With the above observation, writ petition stands disposed of.
7. No costs.
8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)

R1/42
17/09/25
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Anoushe-D-203

IN THE HON'BLE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A. No. _____ OF 2025

IN

SPECIAL LEAVE PETITION [CIVIL] NO. 21674-21675 OF 2025

IN THE MATTER OF:

DIPANJAN BOSE

... PETITIONER

VERSUS

STATE OF WEST BENGAL & ORS

...RESPONDENTS

I.A. No. _____ OF 2025

APPLICATION FOR APPROPRIATE DIRECTIONS

PAPER - BOOK

(FOR INDEX KINDLY SEE INSIDE)

ADVOCATE FOR THE PETITIONER: ANINDITA MITRA

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IN THE HON'BLE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A. No. _____ OF 2025

IN

SPECIAL LEAVE PETITION [CIVIL] NO. 21674-21675 OF 2025

IN THE MATTER OF:

DIPANJAN BOSE

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STATE OF WEST BENGAL & ORS

...RESPONDENTS

APPLICATION FOR APPROPRIATE DIRECTIONS

TO THE HON'BLE CHIEF JUSTICE OF INDIA
AND HIS COMPANION JUDGES OF THE
SUPREME COURT OF INDIA

1. The Petitioner has filed the above captioned Special Leave Petition under Article 136 of the Constitution of India, seeking to protect the status of a waterbody and thereby seeking to challenge the Judgment and final order dated 06.02.2025, (the "Impugned Judgment-1") passed by the High Court of Calcutta in W.P.A (P) 198 of 2024. The Petitioner also seeks to impugn the final Order and Judgment dated 20.05.2025 passed by the High Court

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of Calcutta passed in Review Application being RVW. 60 of 2025 in W.P.A (P) 198 of 2024, (the "Impugned Judgment-II") wherein the Hon'ble High Court has dismissed the application filed by the Petitioner seeking a review of the Impugned Judgment-I.

2. The said matter was listed for admission on 04th August, 2025, wherein this Hon'ble Court after hearing the submissions put forward on behalf of the Petitioner, was in agreement that there posed a serious threat to the nature of the lake in question and thereafter, was pleased to issue notice in the matter and liberty was granted to the petitioner to serve notice through the Standing counsel for the Respondent/State. A copy of the Order dated 04th August, 2025, passed in the instant SLP is annexed herewith and marked as 'Annexure A-1 at Pages (9 to 9).
3. That the matter is now listed before the Registrar Court for completion of pleadings and appearance of the Respondents.
4. By way of the instant Application, the Petitioner seeks urgent listing of the matter for the purpose of interim protection of the lake because the Respondents, after the issuance of Notice in the Special Leave Petition, have amped up their efforts in completion of the construction of the proposed Project on the waterbody.
5. It is submitted that to the utter shock of the Petitioner, the Respondent authorities have for a while started filling the lake using heavy machinery to forcibly covert the nature of the waterbody in order to illegally construct

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the Residential project. There are multiple instances of filling up the waterbody with cement and sand deposits which is in contravention of the responsibility of the Respondents to ensure the protection and integrity of the environment, especially one which is the only source of natural water in the area and life for flora and fauna. Photographs of filling the lake by the Respondents are annexed herewith and marked as '**Annexure A-2 at Pages (10 to 14)**'. Further it is submitted that the position of the waterbody prior to the takeover of the Respondent No. 2 shows that there was ample water in the waterbody. Photographs of the position of the lake before the takeover is annexed herewith and marked as '**Annexure A-3 at Pages (15 to 18)**'.

6. The Respondents have now deployed manpower solely for the purpose of filling the waterbody for the proposed construction and thereby flouting the very objectives of the West Bengal Inland Fisheries Act, 1984 and the East Kolkata Wetlands (Conservation and Management) Act, 2006.
7. Further on 04.07.2025, the Respondent No. 2 demolished the wall alongwith a room of the 'Birendranagar Security Welfare Association' meant and designated for night guard vigilance of the locality under the garb of illegal construction to create level access to the site in question through the available approach road and thereafter erecting an iron gate on 30.07.2025. A picture of the iron gate erected on the site in question is

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annexed herewith and marked as 'Annexure A-4 at Pages (19 to 19).

8. Thereafter on or about 04.09.2025, the Respondent No. 2 has engaged two land filling JCB machinery in a deliberate exercise to fill up the waterbody prominently identified under WBIS of Bhuvan-NRSC. It is submitted that this action is in teeth of the statutory provisions and the object of the East Kolkata Wetlands (Conservation and Management) Act. A copy of the image showing JCBs engaged at the site for the purpose of filling of the site is annexed herewith and marked as 'Annexure A-5 at Pages (20 to 20).

9. It is submitted that in the instant Special Leave Petition, an absence of status quo on the site in question has given leeway to the Respondents to step up the proposed construction project in the area in question, which is prejudicial to the public in general and will have a cascading effect on the entire community if the same is not protected.

10. It is submitted that the Petitioner has a very good prima facie case in merits. Upon due consideration of all the factors including the prima facie case, the factum of irreparable injury and the balance of convenience and inconvenience, it is submitted that more injury is likely to be caused if no status quo on the land in question is passed till the pendency of the present Special Leave Petition.

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11. In the aforesaid circumstances, the Petitioner submits that unless an interim order of status quo is passed in the present Special Leave Petition, there will be irreparable loss and injury to the waterbody which cannot be reversed and will make the present Special Leave Petition otiose.

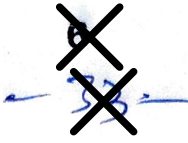
12. That the application is Bonafide and made for the ends of justice.

PRAYER

In the circumstances, it is respectfully prayed that this Hon'ble Court be pleased to:-

- a) Allow the present Application and upon hearing the Petitioner, issue appropriate direction for ordering status quo on the land in question, and stay the construction of the project 'Banglar Bari' and/or pass an order to that effect as may be deemed appropriate till the pendency of the Special Leave Petition; and
- b) Restrain the Respondents from filling up the Waterbody and further destruction to the flora and fauna; and
- c) Pass such further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE PETITIONER, AS IN DUTY BOUND, SHALL EVER PRAY.



Filed by:

Anindita

Anindita Mitra

Place: New Delhi

Advocate on Record for the Petitioner

Date: 16.09.2025

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A.NO. _____ OF 2025

IN

SPECIAL LEAVE PETITION (CIVIL) NO. 21674-21675 OF 2025

IN THE MATTER OF:

DIPANJAN BOSE

...PETITIONER

VERSUS

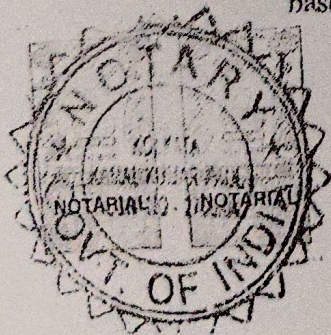
THE STATE OF WEST BENGAL AND ORS

...RESPONDENTS

AFFIDAVIT

I, Dipanjan Bose, S/o Late Dilip Bose, Aged About 59 Years, residing at 64/50, Belgachia Road, P.O. Belgachia, P.S Ultadanga, Kolkata-700 037, do hereby solemnly affirm and declare on oath as under:-

1. I am the Petitioner I am authorized to act on its behalf and well conversant with the facts and circumstances of the case and as such competent to swear this affidavit.
2. I state that I have read and understood the contents of the accompanying application(s) from pages **1** to **6** . I state that the contents thereof are true to best of my knowledge and belief and based on the records of the case.



15 SEP 2025

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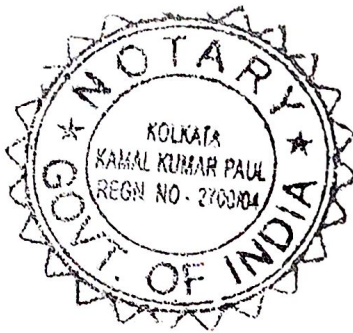
3. The annexures are true copy of their respective original and the parties in this application are the same as were in the courts below.

✓ Dipanjan Bose
DEPONENT

VERIFICATION:

Verified at Kolkata on the 15th day of September 2025 that the facts stated in paras 1 to 3 herein are true to my knowledge and belief no part of it is false and nothing material has been concealed therefrom.

✓ Dipanjan Bose
DEPONENT



Solemnly Affirmed & Declared Before me on Identification of Ld. Advocate

✓ *K.K. Paul* 15.09.25
KAMAL KUMAR PAUL, NOTARY
Govt. of India, Regn No.-2700/04

15 SEP 2025



Identified by me

✓ *Tina Das*
TINA DAS
Advocate
Regn No. - F-1322/21

ITEM NO.10

COURT NO.1

SECTION XVI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 36585/2025

[Arising out of impugned final judgment and order dated 06-02-2025 in WPA(P) No. 198/2024 20-05-2025 in RVW No. 60/2025 passed by the High Court at Calcutta]

DIPANJAN BOSE

Petitioner(s)

VERSUS

THE STATE OF WEST BENGAL & ORS.

Respondent(s)

(IA No. 175363/2025 - CONDONATION OF DELAY IN FILING AND IA No. 175360/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 04-08-2025 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) :

Mr. Jaideep Gupta, Sr. Adv.
Mr. Riddhi Bose, Adv.
Ms. Racheeta Chawla, Adv.
Ms. Anindita Mitra, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

1. Delay condoned.
2. Issue notice, returnable in two weeks.
3. Dasti, in addition, is permitted.
4. In addition to the usual mode, liberty is granted to the petitioner to serve notice through the Standing Counsel for the respondent/State.

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
ASSISTANT REGISTRAR

The Kolkata Municipal Corporation
5, S.N Banerjee Road
Kolkata: 700 087



215

No: E&H/ 418 / 2025-26

Date: 07.01.2026

From,
Special Municipal Commissioner
Kolkata Municipal Corporation.

To
The State Mission Director, AMRUT
Subhanna Bhawan,
9, 2nd Avenue, DF Block, Sector-1,
Bidhannagar,
Kolkata-700091.

Sub: Submission of DPR for the work of Rejuvenation of water body named as Salboni Jhill in Ward No 03 under Borough-I

Sir,

As per approval of Hon'ble Mayor dated 06.01.2026 I am forwarding herewith a DPR for the work of Rejuvenation of water body named as Salboni Jhill in Ward no. 03 under Borough-I within the Kolkata Municipal Corporation area. Total estimated cost for the above mentioned work is Rs 1,95,00,600.00 (Rupees One Core Ninety-five lakh and Six hundred only) including 18% GST, 1% CESS and 5 years maintenance cost.

Hence, I would like to request you to accord the administrative approval and financial sanction for the above mentioned scheme so that functional department can float e-tender as per existing norms.

Thanking you.

Encl.- As stated (One set of DPR)

Yours faithfully


Special Municipal Commissioner
The Kolkata Municipal Corporation

Special Municipal Commissioner
Kolkata Municipal Corporation



Annexure - P-6 X ㊄ X

IA in OA 155 of 2024/EZ



Indradeep Ghosh <ghoshindradeep506@gmail.com>
to advocate.paushali, Dipanjan, ASHOK, rajib.ray23

10:15 PM (0 minutes ago)

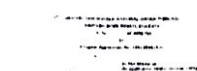
Dear Sir/ Madam,

Kindly find enclosed copy of IA in OA 155 of 2024 along with all annexures for your kind perusal and necessary action.

Enclosed as above

Sibojyoti Chakrabarti
Advocate, High Court, Calcutta
Kolkata Municipal Corporation

One attachment • Scanned by Gmail Add to Drive



IA 155 2024 KMC...

Reply Reply all Forward

