

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.10762-10763/2026

(@Petitions for Special Leave to Appeal (C) Nos.27300-27301/2026)

MERLIN PROJECTS LIMITED

Appellant(s)

VERSUS

CHITTARANJAN DAS & ORS.

Respondent(s)

WITH

CIVIL APPEAL NOS.10764-10765/2026

(@Petitions for Special Leave to Appeal (C) Nos.27404-27405/2026)

PVC WIRES AND CABLES PRIVATE LIMITED & ORS.

Appellant(s)

VERSUS

CHITTARANJAN DAS & ORS.

Respondent(s)

O R D E R

1. Leave granted.

2. Our Order dated 11th August, 2026 reads thus:

"1. Having heard the learned senior counsel appearing for the parties and having gone through the materials on record, we are of the view that the presence of the Respondent No.6 - Kolkata Municipal Corporation, the respondent no.7- Municipal Commissioner, Kolkata Municipal Commission and the respondent no.8-Director General, Kolkata Municipal Corporation, respectively, and other respondents is very much required.

2. We would like to know what is the stance of the Corporation as regards the prima facie finding recorded by the High court in its impugned interim order that the land on which construction has come up is a water body classified as "Danga" or "Pukur".

3. We want a comprehensive report in this regard by the next date of hearing. We are conscious of the fact that what is impugned before us is an interim order(s) and the main matter is coming up for hearing on 28.8.2026 before the High Court. However, we would like to know the stance of the Corporation.

4. Issue notice, returnable on 17.08.2026.

5. In the meantime, the impugned interim order(s) passed by the High Court shall remain stayed from its operation.

6. Dasti service, in addition, is permitted.

7. No further time will be granted to any of the respondents on returnable date."

3. In pursuance of our Order, referred to above, the Respondent Nos.6, 7, and 8 respectively have filed an affidavit duly affirmed by Director General (Building), Kolkata Municipal Corporation.

4. What we have been able to gather from the counter filed by the Corporation is that on 9th December 2019, the Government of West Bengal, Office of District Land and Land Reforms, issued a land conversion certificate under Section 4C of the West Bengal Land Reforms Act, wherein the three plot numbers, being 717, 719/1176, and 720 respectively, were allowed conversion for the purpose of multi-storied housing.

5. In para 9 of the counter filed by the Corporation, the following has been stated:

"A. Under relevant Land Reforms law the State Government is competent to grant any change of user;

B. It is submitted that under Rule 166 of Land and Land Reforms Manual 1991, allowed conversion before making appropriate application and the cut off date in this regard was 24.03.1986;

C. According to Inspection Book of Corporation in relation to page corresponding 1983-84 the property was factory;

D. Hence, the property though not formally converted before 2017-19 actually stood converted in its use from 1983-84 and thus, the Conversion certificates issued in 2017-19 do not run counter to the same;

E. All plots were granted conversion in accordance with Section 4C of Land Reforms Act 1955 and Corporation acted within its power to sanction plan for the project.

6. We heard Mr. Mukul Rohatgi and Mr. Nakul Dewan, the learned Senior Counsel appearing for the appellant and on the other hand, Mr. Kunal Chatterjee, the learned counsel appearing for the Corporation, Mr. Gopal Sankaranarayanan, the learned Senior counsel and Mr. Biswaroop Bhattacharya, the learned counsel appearing for the original writ petitioner(s) and Mr. Uddyam Mukherjee, the learned counsel appearing for the State of West Bengal.

7. Mr. Gopal Sankaranarayanan, the learned Senior counsel appearing for the original writ petitioners, has manifold contentions to raise as regards the stance of the Corporation which has been placed before us today by way of an affidavit.

8. We are of the view that since the matter is at large before the High Court, we should not express any opinion on the merits of any of the issues arising in this particular litigation.

9. All that we want to say is that, having regard to the specific stance of the Corporation as on date before us, we would not approve the grant of interim relief by the High Court restraining the appellant from proceeding further with the development/construction. Accordingly, the impugned Order passed by the High Court to the extent it has granted interim relief stands set aside.

10. We leave it to the High Court to decide all issues between the parties.

11. It shall be open for the learned counsel appearing for the parties to raise all contentions available to them in law.

12. In the peculiar facts of this case, and more particularly keeping in mind that third-party rights have also been created, it will be in fitness of things if the High Court gives some priority

to the main matter and decides it once and for all, finally.

13. With the aforesaid, the appeals stand disposed of.

14. Pending applications, if any, also stand disposed of.

.....J
(J.B. PARDIWALA)

.....J
(K. VINOD CHANDRAN)

NEW DELHI;
17TH AUGUST, 2026.

ITEM NOS.44+45

COURT NO.6

SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petitions for Special Leave to Appeal (C) Nos.27300-27301/2026

[Arising out of impugned final judgment and order dated 21-07-2026 in WPA(P) No. 160/2026 & in WPA(P) No. 419/2025 passed by the High Court at Calcutta]

MERLIN PROJECTS LIMITED

Petitioner(s)

VERSUS

CHITTARANJAN DAS & ORS.

Respondent(s)

(IA No. 232128/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 232130/2026 - EXEMPTION FROM FILING O.T. AND IA No. 232126/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Petitions for Special Leave to Appeal (C) Nos.27404-27405/2026
(IA No. 233114/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 233115/2026 - EXEMPTION FROM FILING O.T. AND IA No. 233111/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 17-08-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) :

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Nakul Dewan, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Ms. Deepsikha Mishra, Adv.
Ms. Anwesha Padhi, Adv.
Mr. E. C. Agrawala, AOR

Mr. Shyam Divan, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Ms. Deepsikha Mishra, Adv.
Ms. Anwesha Padhi, Adv.
Mr. E. C. Agrawala, AOR

For Respondent(s) :

Mr. Gopal Sankaranarayanan, Sr. Adv.
 Mr. Sukanta Chakrabarty, Adv.
 Mrs. Puspita Basak, Adv.
 Mr. Kanishk Garg, Adv.
 Ms. Kavya Venkatesh, Adv.
 Mr. Pranjal Kishore, Adv.
 Mr. R. Sudhakaran, AOR

Mr. Biswaroop Bhattacharya, Adv.
 Mr. Supantha Sinha, Adv.
 Mr. Souvik Halder, Adv.
 Mr. Iswar Das, Adv.
 Mr. Abhigyan Prakash, Adv.
 Mr. Satyam Shivaach, Adv.
 Mr. Amit Kumar, Adv.
 Mr. Yashwardhan Singh, Adv.
 Mr. Sanpreet Singh Ajmani, AOR

Mr. Kunal Chatterji, AOR
 Ms. Maitrayee Banerjee, Adv.
 Mr. Varij Nayan Mishra, Adv.

Mr. Digvijay Rai, Adv.
 Mr. Harshwardhan Porganiha, Adv.
 Mr. Ojaswa Pathak, Adv.
 Mr. Anshul Rai, AOR

Mr. Uddyam Mukherjee, AOR
 Mr. Swapnil Pattanayak, Adv.
 Ms. Kratika Kushwaha, Adv.

Mr. Gopal Sankaranarayanan, Sr. Adv.
 Mr. R. Sudhakaran, AOR
 Mr. Sukanta Chakrabarty, Adv.
 Mrs. Puspita Basak, Adv.
 Mr. Kanishk Garg, Adv.
 Ms. Kavya Venkatesh, Adv.
 Mr. Pranjal Kishore, Adv.

Mr. Biswaroop Bhattacharya, Adv.
 Mr. Supantha Sinha, Adv.
 Mr. Souvik Halder, Adv.
 Mr. Iswar Das, Adv.
 Mr. Abhigyan Prakash, Adv.
 Mr. Satyam Shivaach, Adv.
 Mr. Amit Kumar, Adv.
 Mr. Yashwardhan Singh, Adv.
 Mr. Sanpreet Singh Ajmani, AOR

Mr. Kunal Chatterji, AOR
 Ms. Maitrayee Banerjee, Adv.
 Mr. Varij Nayan Mishra, Adv.

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

1. Leave granted.
2. The appeals stand disposed of, in terms of the signed order.
3. Pending applications, if any, also stand disposed of.

(VISHAL ANAND)
DEPUTY REGISTRAR

(POOJA SHARMA)
COURT MASTER (NSH)

(Signed Order is placed on the file)