

24.12.2020
Item No. 113
Ct. No.4
PG

**W.P.A. 12897 of 2018
(Via Video Conference)
Nani gopal Nanda
Vs.
State of West Bengal & Ors.**

Mr. Pinaki Ranjan Mitrafor petitioner

Mr. Uttam Kumar Bhattacharya....for respondent
no.2

Mr. Manish Kr. Das....for private respondent nos.
5 & 6

Mr. Bhattacharya, learned advocate appears on behalf of Purba Medinipur Zilla Parishad and files report, pursuant to direction made by coordinate Bench (Subrata Talukdar, J.) on 7th January, 2019. Copy of the report has also been given to Mr. Das, learned advocate appearing on behalf of private respondents.

On 14th March, 2019, Secretary of the Parishad made following order:

“ The matter is taken up for hearing. Both the parties appear by filing attendance. Perused the survey report submitted by the concerned Assistant Engineer. It showed the that land was allotted to all the petitioner and respondent concerned as per agreement.

On spot verification it revealed that respondent No. 5 and 6 occupied the portion of writ petitioner.

It also transpired that both the writ petition and the respondent concern paid the rent up to 1426 BS. Hence it is decided that the respondent concerned will vacate the portion of writ petition immediately. Let the copy of order be

served upon the parties concerned for implementation.”

The background is that the Parishad gave lease to petitioner, represented by Mr. Mitra, learned advocate, for obtaining access to petitioner's agricultural land. Petitioner sought possession and thereafter approached Court. Private respondents are obstructing. Their contention is that the land was given to them on lease.

Quoted order of the Parishad says both have paid respective rents. The leases given are in respect of different areas of land. Private respondents are obstructing petitioner, is the finding.

The Zilla Parishad will give possession of the demise to petitioner, within two weeks from date of communication of this order. The Zilla Parishad will fix a date and time upon notice to private respondents. On approach by the Zilla Parishad, the police will be present to ensure that this order is complied with.

The writ petition is disposed of.

(Arindam Sinha, J.)