

29.09.2021
Item No.31
Crt.No.11
K.B.

**M.A.T. 979 of 2021
With
I.A. NO. CAN 1 of 2021**

**M/s. S.P. Singh & Brothers & Anr.
-versus-
The State of West Bengal and others.**

(Via Video Conference)

Mr. Kalyan Bandyopadhyay
Mr. Timir Baran Saha
Mr. Sudip Sarkar
... For the appellants.

Mr. Amitesh Banerjee
Mr. Arjun Ray Mukherjee
... For the State-respondents.

Mr. Amitesh Banerjee, Learned Senior Standing
Counsel, appears for the State-respondents.

Mr. Banerjee submits, on instruction, that the
immovable property in issue in this appeal can be now
returned and/or handed back to the appellants by the
Respondent/Investigating Authority.

Mr. Bandyopadhyay, Learned Senior Counsel,
appears for the appellants.

Upon consideration of the facts of this appeal, this
Court finds that with the return and/or handing back of
the immovable property in issue by the Investigating
Authority to the appellants or, their authorised
representative, the reliefs sought for in this appeal shall
be met.

Parties are agreed that the time fixed for handing over possession of the property in issue be fixed at **1 P.M. on Friday, i.e. 01st October, 2021.**

It is accordingly so directed.

This Court makes it clear that this Court has not gone into the merits of the investigation or the rival contentions of the parties and the investigation shall proceed on its own merits.

MAT 979 of 2021 with **I.A. No. CAN 1 of 2021** stand thus **disposed of.**

In view of disposal of MAT 979 of 2021 and I.A. CAN 1 of 2021, the writ petition also does not survive.

WPA No. 12607 of 2021 also stands **disposed of.**

Since affidavits are not called for, allegations made are deemed to be denied and disputed.

The Case Diary be now handed over by Learned State Counsel to the Investigating Officer.

All parties to act on a gist of the communication of this order,

All parties shall act in terms of a copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(Kesang Doma Bhutia, J.) -

(Subrata Talukdar, J.)