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03.08.2021
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W.P.A. 701 of 2021
(Tapan Saha & Anr. vs. State of West Bengal & Ors.)

Mr. Kalyan Kr. Bandyopadhyay
Mr. Abhishek Halder
Ms. Pramiti Bandyopadhyay
.... For the Petitioners

Mr. Pinaki Dhole
Mr. Rajat Dutta
.... For the Respondent Nos. 5 to 7

Mr. Pantu Deb Roy
Mr. Anand Farmania
.... For the State

The grievance of the petitioners pertains to handing over of physical possession of an allotted space of land described in schedule B of the lease deed which has been executed in favour of the petitioner.

Mr. Dhole, Advocate appearing on behalf of the respondent Nos. 5 to 7 fairly submits that his client i.e. the Office of the Siliguri Regulated Market Committee has handed over possession of the subject premises to the petitioners. He also files a letter dated 29th July, 2021 issued by the Secretary of the Siliguri Regulated Market Committee.

The State is represented and submits that the grievance of the petitioners has been fully redressed.

It is pertinent to mention that pursuant to an advertisement dated 29th October, 2010 the lease deeds between the petitioners and the Siliguri Regulated Market Committee were executed in favour of the petitioners on 1st December, 2010 and the possession of the subject premises was handed over in the year 2021. In other words, the petitioners were handed over possession of the subject premises after nearly a decade.

Mr. Bandyopadhyay, Senior Advocate appearing on behalf of the petitioners fairly submits that in this peculiar circumstances, the respondents and more particularly the Office of the Siliguri Regulated Market Committee ought to consider a prayer for extension of the lease deed. It is fairly submitted on behalf of the State respondents that if such prayer is made by the petitioners, the same would be considered by the Appropriate Authorities in accordance with law.

In view of the submissions made on behalf of the parties and the fact of handing over possession of the subject premises by the respondent authorities to the petitioners, nothing survives in this writ petition.

Accordingly, W.P.A. 701 of 2021 is disposed of in view of the subsequent events which have transpired pursuant to orders of this Court.

There shall be no order as to costs.

Photostat certified copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Ravi Krishan Kapur, J.)