

12
23.08.2022
Ct. No.10
b.das

WPA 8965 of 2022

Saptarathi Bera & Anr.
Vs.
The State of W. B. & Ors.

Mr. Sandip Kr. Bhattacharyya
Mr. Suman Basu
Ms. D. Pramanik ...for the petitioners.

Mr. Soumitra Bandyopadhyay
Mr. P. Batabyal ...for the State.

Heard learned counsels for the parties.

In an earlier writ petition filed by the petitioners/their predecessors-in-interest being WP 27353 (W) of 2006, a co-ordinate Bench of this Court, by an order passed on 12th May, 2008 recorded the submission of the State respondents that the plot in question was not acquired by the respondent authority, nor any attempt was made to disturb the possession of the petitioners in respect of the said plot.

In the present writ petition, the writ petitioners have sought a direction upon the respondent authorities not to take forcible possession of the plot in question being Dag No.2185 in jurisdiction list No.26, Khatian No.63, Touzi No.1, P.S. Pursurah, District – Hooghly comprising 0.56 acres or evict the petitioners therefrom without due process of law.

It is submitted on behalf of the State respondents that possession of the petitioners with regard to the said plot has not been disturbed by the State respondents and such possession shall not be disturbed otherwise than in due process of law.

It is further submitted that in the event of requirement of the said plot or any part thereof, necessary steps shall be taken for acquisition of the plot in question.

In view of the same, nothing further remains for adjudication in the present writ petition and as such, the writ petition being WPA 8956 of 2022 is disposed of.

However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)