

Item No. 43

27.09.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 12963 of 2022
Smt. Pratima Singharoy
v.
State of West Bengal & Ors.

Mr. Partha Pratim Roy
Ms. Ankita Dey
Ms. Nandini Sharma
... for the petitioner.

Mr. Sanat Kumar Roy
Mr. Abhishek Banerjee
... for the respondent nos. 5 to 7.

The plot in dispute is 1801/4317. A Civil Suit has been filed in respect of the said plot and an order has been passed by the Ld. Civil Judge (Junior Division), 3rd Court, Burdwan in Title Suit No. 06 of 2009 (Sakhya Singha Roy v. Kamal Patra).

The petitioner apprehends that over the aforesaid plot of land the private respondent may start construction under the Banglar Avas Yojona/PMAY Scheme in terms of the sanction/ grant which has been issued by the Memari Municipality.

The petitioner filed an objection through the learned advocate on May 17, 2022 and alleges that the same has not been taken into consideration till date.

Learned advocate representing the private respondents submits upon instruction that they are

bound to comply the order passed by the learned Court below.

It has been admitted that an order of status quo has been passed and the same is being obeyed by the private respondents.

It has been contended that no construction whatsoever is being made by the private respondents over the disputed plot of land.

In view of the submissions made on behalf of the private respondents that they will comply the order passed by the learned Court below and will not raise any construction over the disputed plot of land being 1804/4317, accordingly, no order is required to be passed in the instant writ petition.

The parties are directed to act strictly in accordance with the order passed by the learned Court below.

The writ petition stands disposed of.

The supplementary affidavit and the affidavit-of-service filed in Court today are taken on record.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)