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20.06.2022
Ct. No.10
b.das

WPA 15974 of 2021

Secretary, Shibam Charitable Dharmasala
Vs.
The Chief Executive Officer, Haldia Development Authority & Ors.

Mr. Ushananda Jana
Mr. Sujit Bhattacharya
Mr. S. Chatterjee
Ms. S. Adhikary ...for the petitioner.

Sk. Afrojul Hoque
Mr. Isteyak Ahmed ...for the H.D.A.

Mr. S. M. Hassan
Ms. Anupama Yasmin
...for the Haldia Municipality.

Mr. Y. N. Gupta
Ms. Aishwarya Jayshree
...for the respondent Nos.9 to 14.

It is not in dispute that the alleged encroachers being the private respondents herein have filed a title suit being Title Suit No.95 of 2008 in respect of the plot in question for declaration of their title, which is pending.

It is submitted on behalf of the respondents that they are not in a position to deliver possession of the plot in question to the petitioner until the title suit is disposed of. The title suit is pending since 2008.

In view of the above, the writ petition is disposed of with a request to learned Trial Court to dispose of the title suit pending before it as expeditiously as the business of the Court permits.

With the above observations and directions this writ petition being WPA 15974 of 2021 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.)