

04.02.2022.
Court No.13
Item No. 9
ap

W.P.C.R.C. No. 77 of 2021
The Hon'ble Court in its own motion
Versus
Rabiya Bibi
W.P.A. No. 1012 of 2020
With
CAN 1 of 2021
(Through Video Conference)
Rabiya Bibi
Versus
The State of West Bengal & Ors.

Mr. Kamalesh Jha,
Ms. Srabani Biswas.

...For the contemnor.

Mr. Aniruddha Bhattacharya.

...For the respondent no.5/Applicant.

Counsel for the contemnor submits that the wall in question has been razed. It is also submitted that debris lying in the said area has been removed substantially. This is disputed by the Counsel for the applicant in W.P.C.R.C. No. 77 of 2021.

It is expected that all debris lying in the said area is removed as already ordered by this Court.

The issue as regards the title to the property cannot and has not been decided by this Court. Any observations made earlier in this regard shall stand deleted and/or recalled. The inter se rights of the writ petitioner and the other respondents on the property and their rights to effect construction thereon, shall be

decided in any civil proceeding either pending or as instituted by the parties in accordance with law.

The order dated 23rd June, 2021 passed in the writ application shall stand recalled.

In view of the above, the application being CAN 1 of 2021 shall stand disposed of.

Rule shall also stand discharged.

Hence, W.P.C.R.C. No. 77 of 2021 shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)