

19-05-2021
ct no. 13
Sl.14
sp

WPA 3517 of 2020

With

CAN 1 of 2023

With

CAN 2 of 2023

Sahena Bibi

-Versus-

The State of West Bengal & Ors.

Ms. Nandita Baksi

...for the petitioner

Mr. Ashim Kr. Ganguly,

Mr. Bellal Shaikh

.... for the State

CAN 1 of 2023

1. CAN 1 of 2023 has been filed seeking condonation of delay in filing CAN 2 of 2023.
2. Sufficient grounds have been made out in the instant application explaining such delay. Hence, the delay is condoned.
3. Accordingly, CAN 1 of 2023 is allowed and disposed of.

CAN 2 of 2023

4. Sufficient grounds have been made out explaining the absence of the petitioner's counsel on November 3, 2022. The order dated November 3, 2022 is recalled. Hence, the writ petition is restored to its original file and number.

5. Accordingly, CAN 2 of 2023 is allowed and disposed of.

WPA 3517 of 2020

6. Counsel for the petitioner submits that the private respondents have encroached upon her land.
7. The private respondents have filed a civil suit in which an order of injunction has been passed by the Civil Court against the petitioner.
8. In that view of the matter, this Court is of the view that the petitioner may seek appropriate remedies in the said civil suit or before the appropriate civil or statutory forum in accordance law.
9. The police shall, however, ensure that there is absolutely no breach of peace in the area.
10. With the aforesaid observations, the instant writ petition shall stand disposed of.
11. There shall be no order as to costs.
12. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)