

16.05.2023

Sl.No. 2 Unlisted

Ct.No.16

Amalranjan

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

MAT 415 of 2022

With

CAN 1 of 2023

Renuka Ghosh

Vs.

The State of West Bengal & Ors.

Mr. Ajay Choubey

Ms. Madhu Jana

Mr. Amal Kr. Datta

Mr. Debasish Das

Ms. Simran Surekha

...for the appellant

Mr. Amitesh Banerjee, Sr.Standing Counsel

Mr. Suddhadev Adak

Mr. Debraj Shaw

...for the State

Re: CAN 1 of 2023

We do not know why this appeal is filed.

There is no finding against the appellant in the impugned judgment and order dated 21st November, 2022. Neither the appellant is able to show any order which the appellant is entitled to receive and which the court has denied.

In those circumstances, this appeal and the connected application are disposed of with the observation that the appellant shall be entitled to exercise whatever right available to her in law over the subject property which can only be

interfered with by the private respondent by obtaining an order from a civil court.

We clarify that the appellant need not approach the civil court to establish any right in terms of the said order dated 21st November, 2022.

The appellant will inform the police before entering the property.

The police will keep a watch and only interfere in case of any dispute between the private parties herein if the law permits them to do so.

The appeal and the connected application are disposed of.

(Biswaroop Chowdhury,J.) (I. P. Mukerji,J.)