

19.05.2023.
Court No.13
Item No. 29
pk

W.P.A. No. 7804 of 2022
With
CAN 1 of 2023
Bablu Osta
Versus
State of West Bengal & Ors.

Mr. Bhaskar Chandra Manna
...For the petitioner.

In Re: CAN 1 of 2023 (Restoration)

1. Sufficient grounds are available to explain the absence of the petitioner and/or his Counsel on 03.04.2023.
2. The said order is recalled and the writ petition is restored to its original file and number.
3. Accordingly, CAN 1 of 2023 is disposed of.
4. There will be, however, no order as to costs.

In Re: W.P.A No. 7804 of 2022

1. The writ petitioner's land has not been demarcated by the BL & LRO. The petitioner had approached this Court earlier on 26th August, 2021 in WPA 10082 of 2020.
2. This Court directed the petitioner to approach the BL & LRO and/or a Civil Court in respect of his rights in the property.

3. The said order has been confirmed by the Division Bench of this Court on 4th January, 2022 in MAT 1232 of 2021.
4. Since thereafter demarcation has been done and the petitioner seeks possession of his property, he should approach a Civil Court as already directed by a Single and Division Benches of this Court in the order referred to herein above.
5. The instant writ petition is, therefore, in abuse of process of law. The petitioner is warned against indulging in frivolous litigation of this nature in future.
6. The writ petition is disposed of.
7. There will be no order as to costs.
8. 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.)