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31.01.2023
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 15958 of 2022

**Sri Boomkes Dey & Anr.
-versus
The State of West Bengal & Ors.**

**Mr. Nilanjan Bhattacharya,
Mr. Arpan Guha.
...For the Petitioners.**

**Mr. Susanta Pal,
Ms. Ananya Neogi.
...For the State.**

**Mr. Samiran Mondal,
Mr. Abhinaba Dan,
Mr. Nitish Samanta.
...For the Municipality.**

Separate report filed by the State respondents and the Municipality are taken on record.

It appears therefrom that presently no construction work is going on at the site in question.

The petitioners also admit that presently the work of construction is suspended.

It appears that in respect of the selfsame plot, this Court by order dated 26th August, 2016 passed in WP 17020 (W) of 2016 (Jyotsnarani Dey –vs- The State of West Bengal & Ors.) directed the parties to maintain status quo on the land till the disposal of the appeal.

The appellate authority disposed of the appeal on 19th November, 2018 with a direction upon the Collector to start the proceeding under the West Bengal Public Land (Eviction of Unauthorized Occupants) Act, 1962 *de novo*. The proceeding is yet to be initiated.

Accordingly, at present both the parties are directed to maintain status quo in respect of the land in question.

The Inspector-in-charge of Bankura Police Station is directed to make frequent visits to ensure that the order of status quo is strictly complied with by both the parties.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)