

FMA 656 of 2023
with
IA No. CAN 5 of 2024

Milan Kumar Bhuti & Ors.
Vs.
State of West Bengal & Ors

Mr. Amit Kumar Pan
Mr. Tulshi Das Ray
Mr. Tirthankar Ray

....For the Appellants.

Mr. Soumitra Bandopadhyay
Mr. S. Bandopadhyay
Mr. Priyabrata Batabyal

....For the Respondents.

An application, being CAN 5 of 2024, has been presented on behalf of the appellants, seeking an interim order to restrain the respondents from causing any disturbance to the appellants' peaceful possession of the lands in question.

Mr. Pan, the learned advocate, submits that there has been an attempt to encroach upon the land and to construct a bus stand thereon. However, Mr. Bandopadhyay, the learned advocate representing the State respondents, disputes this contention. He argues strongly that, in this case, the award was declared and physical possession was taken way back in 1976.

Having regard to such rival contentions raised by the respective parties, we are of the view, the application needs to be decided after exchange of affidavits.

In view of this, the State respondents are directed to file a short affidavit-in-opposition, along with the relevant documents addressing the issues raised in the application within a week from date. Reply, if any, be filed within a week thereafter.

Schedule the matter for further consideration under the heading 'Application (Group -I)' in the daily supplementary list of this Court two weeks hence.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)