

09.06.2023.
Court No.13
Item No.25
ap

W.P.A. No. 20092 of 2022

With

I.A. No. CAN 1 of 2023

Subala Bayen

Versus

The State of West Bengal & Ors.

Mr. Gouranga Kumar Das,
Ms. Swati Mondal.

...For the petitioner.

Mr. Asish Kumar Guha,
Mr. Joyak Kumar Gupta.

....For the State.

Re: CAN 1 of 2023 (Restoration)

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

Re: W.P.A. No. 20092 of 2022

1. Despite service of notice, the private respondents are not represented. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner claims to be a Patta holder in respect of 40 decimals of land in L.R. Khatian No. 5245, L.R. Dag No. 549, Mouza – Uttar Bhuban Nagar, District – South 24 Parganas.
3. It is submitted that the private respondent nos.5 to 13, are interfering with her possession from time to

time, particularly during the present cultivation season.

4. This Court directs the Officer-in-charge, Kakdwip Police State to post a constable at the land in question for a period of one month from date upon payment of costs by the writ petitioner. Such costs shall be communicated to the writ petitioner in the meantime by the Superintendent of Police, Sundarban Police District.

5. If the private respondents have any claim to the property in question against the writ petitioner, they may take out appropriate proceedings in accordance with law.

6. Kakdwip Police Station shall ensure that the petitioner's possession in the land is not disturbed by the private respondents and no breach of peace occurs at the locale.

7. With the aforesaid directions, the instant writ petition shall stand disposed of.

8. There will be no order as to costs.

9. 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.)