

24-04-2023
ct no. 13
Sl.14
pk

WPA 26357 of 2022

Pataljan Bibi

-Versus-

The State of West Bengal & Ors.

Mr. Arunava Ganguly

....for the petitioner

Mr. Galib,

Mr. Gourav Das

... for the State.

1. Despite earlier representation, the private respondents are not present today.
2. The petitioner's sons are suffering life imprisonment. They had applied before the District Magistrate, South 24 Parganas for permission to construct a dwelling house on five decimals of land on Plot No. 1201 at Mouza- Amreswar J.L. No. 84.
3. The Ex Deputy Secretary, Bhangore-I, South 24 Parganas has permitted the same by communication dated 24th September, 2016.
4. There is admittedly a title suit between the petitioner and the private respondents being T. S. No. 1333 of 2021 pending before the 1st Additional Civil Judge (Junior Division), Alipore.
5. The private respondents have been restrained from trespassing into the suit property.

6. In view of the permission already granted by the District Magistrate and authorities under him on the application of the petitioner's son, the petitioner shall be permitted to effect construction of a dwelling house on the aforesaid five decimals of land, particulars whereof have been set out herein above.
7. The petitioner shall not effect any construction outside the said five decimals of land.
8. The writ petition is disposed of.
9. There will be no order as to costs.
4. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)