

05.01.2023
rc/ct.no.10
Item No.18

WPA No. 28152 of 2022

Mr. Anindya Sundar Das
Mr. Rittik Chowdhury
Mr. Surajit Singh ...for the petitioners

Mr. Susovan Sengupta
Mr. Subir Pal ...for the State

Affidavit of service filed in Court today is taken on record.

None appears on behalf of the private respondent despite service.

It is contended on behalf of the petitioners that the land of the petitioners has been acquired by the State-respondents and the State-respondents are bent on disbursing the compensation amount in favour of the private respondent despite pendency of a civil suit between the petitioners and the private respondent with regard to the title in respect of the plot in question. Also, the application filed by the petitioners for correction of the record of rights is pending before the authority.

The innocuous prayer of the petitioners is for a direction upon the State authorities to withhold the payment of compensation till the title suit is disposed of.

Since there is a dispute between the petitioners and the private respondent with regard to title in respect of the plot in question and the title suit between the parties is

pending wherein the State is also a party, the writ petition be allowed in terms of prayer (a).

It is expected that the learned Civil Court shall dispose of the title suit as expeditiously as the business of the Court permits.

With the above observations and directions this writ petition is disposed of.

There shall be, however, no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)