

19-05-2021
ct no. 13
Sl.15
sp

WPA 8619 of 2020

With

CAN 1 of 2023

With

CAN 2 of 2023

Deusen Mondal

-Versus-

The State of West Bengal & Ors.

Mr. Mrinal Kanti Sardar

...for the petitioner

CAN 2 of 2023

1. CAN 2 of 2023 has been filed seeking condonation of delay in filing CAN 1 of 2023.
2. Sufficient grounds have been made out in the instant application explaining such delay. Hence, the delay is condoned.
3. Accordingly, CAN 2 of 2023 is allowed and disposed of.

CAN 1 of 2023

4. Sufficient grounds have been made out explaining the absence of the petitioner's counsel on December 5, 2022. The order dated December 5, 2022 is recalled. Hence, the writ petition is restored to its original file and number.

5. Accordingly, CAN 1 of 2023 is allowed and disposed of.

WPA 8619 of 2020

6. The private respondents have never been represented in the matter despite service.
7. It appears that the private respondents have regularly threatened and abused the petitioner and his wife from May, 2019.
8. The petitioner is the owner of 33 decimals of land and the same is recorded in his favour in the BL & LRO register.
9. Having seen the entire record, this Court directs the Gosaba Police Station to ensure that the petitioner's possession on his property is not disturbed by the private respondents. If the private respondents have any claim against the land in question, they may take out appropriate civil or statutory proceedings in accordance with law.
10. The Gosaba Police Station shall, however, ensure that there is absolutely no breach of peace in the area and shall strictly comply with any orders that may be passed by the Civil Court.

11. With the aforesaid observations, the instant writ petition shall stand disposed of.
12. There shall be no order as to costs.
13. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)