

M/L 550
12.12.2024
Kausik
ct.no.35

W.P.A. 9291 of 2024

**Sushama Mandal & Ors.
Versus
The State of West Bengal & Ors.**

Ms. Jharna Biswas
Mr. Biswajit Das

...for the petitioners.

Mr. Naba Kumar Das
Mr. Subhabrata Das

...for the state.

Petitioner is aggrieved by the fact that immediately after the order was passed in C.O. 1702 of 2023 on 14.06.2023 by the Hon'ble High Court, Calcutta, directing that the suit property should not be alienated or transferred and the nature and character of the same should not be changed till August 31, 2023, attempts were made to dispossess the petitioner.

To that effect, information was furnished. Accordingly Gaighata PS Case No. 735/23 dated 22.07.2023 was registered for investigation. Subsequently police authorities have submitted charge sheet on or about 31.08.2023.

Learned advocate appearing for the petitioner submits that the police authorities hardly put in any

efforts and as such the accused persons were facilitated with an order of bail and the same was never resisted also.

In view of the accusations so made and the apprehension expressed by the petitioner that she may be dispossessed from her property or her property may be encroached, I direct that in case an application is taken out by the petitioner before the jurisdictional court in seisin of Gaighata PS Case No. 735/23 dated 22.07.2023 with supporting documents to reflect that there was an attempt to encroach upon the property subsequently after the bail order so passed by the learned court in connection with the said case, the learned Magistrate in seisin of the matter will alter and vary the conditions of bail.

In case the accusations made by the petitioner are found to be correct, learned Magistrate will not deter to modify the order of condition of bail to the extent of directing the private respondents to stay outside the jurisdiction of Gaighata Police Station.

With the aforesaid observations WPA 9291 of 2024 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)