

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

Present:

The Hon'ble Justice Joymalya Bagchi

And

The Hon'ble Justice Gaurang Kanth

M.A.T. 1211 of 2024
(CAN 1 of 2024)
(CAN 2 of 2024)

The Pradhan, Mamudpur Gram
Panchayat, Mamudpur & Anr.
-Vs-
Siddhartha Majumder & Ors.

For the Appellants : Mr. Saikat Chatterjee, Sr. Adv.,
Mr. Puranjan Pal, Adv.

For the State : Mr. Lalit Mohan Mahata, AGP,
Mr. Prasanta Behari Mahata, Adv.

For the Respondent
Nos.1 & 2. : Mr. Yashraj Roy, Adv.

Heard on : 05.08.2024

Judgment on : 05.08.2024

Joymalya Bagchi, J. :-

Re : C. A. N. 2 of 2024

1. Heard the learned Advocates for the parties.
2. Having considered the averments in the application for condonation of delay and being satisfied, delay in preferring the appeal is condoned.
3. Accordingly, the application being CAN 1 of 2024 is disposed of.

Re : MAT 1211 of 2024

4. Appellants-Gram Panchayat contends respondents/writ petitioners Nos.1 and 2 are not the owners of the land on which the public road has been constructed.
5. We have perused the order impugned. By the said order the Hon'ble Single Judge had directed representation of the respondents/writ petitioners to be considered by the BL & LRO concerned after giving an opportunity of hearing to all necessary parties. In view of the fact the rights of the parties have not been decided in the order and the matter has been relegated to the appropriate authority for an independent decision, we do not wish to interfere with the order impugned.
6. Moreover, we are informed the order has been given effect to and the BL & LRO concerned has already taken a decision in the matter. In the event the appellant is aggrieved by the said decision,

it is open to the appellant to challenge the order of the BL & LRO in accordance with law.

7. With this observation, the appeal and the connected applications are dismissed.
8. There shall be no order as to costs.
9. Photostat certified copy of this judgment, if applied for, be given to the parties on compliance of all formalities.

I agree.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

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