

IN THE HIGH COURT OF JUDICATURE AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

HEARD ON: 30.04.2024
DELIVERED ON: 30.04.2024

CORAM:
THE HON'BLE MR. CHIEF JUSTICE T.S. SIVAGNANAM
AND
THE HON'BLE MR. JUSTICE HIRANMAY BHATTACHARYYA

M.A.T. 1277 of 2022
With
IA No. CAN 1 of 2022
+
CAN 2 of 2022
+
CAN 3 of 2022

Nisith Kumar Pore
Vs.
Ashim Khanra & Ors.

Appearance:-
Mr. Jahar Lal De
Mr. Rudranil De

.....for the State

JUDGMENT

(Judgment of the Court was delivered by T.S. SIVAGNANAM, C.J.)

1. None appears for the appellant.
2. We have heard the learned advocate appearing for the respondent/State.
3. Upon going through the facts and circumstances of the case, we find that there is no difference or distinction between the case, as placed before this Court in M.A.T. 1292 of

2022 on 17th August, 2022. In any event, the learned writ court had directed the Block Development Officer to take all necessary steps to ensure that there is no encroachment of P.W.D. land in and around the area, which has been mentioned by the writ petitioner/respondent no.1 herein in the writ petition. All necessary steps were directed to be taken by the officer strictly in accordance with law upon notice to all the necessary parties within a time frame.

4. Therefore, the appellant cannot be stated to be wholly prejudiced by the direction as and when notice is issued. It is well open to the appellant to raise his objection in the form of a reply to the notice, which can be considered by the authority before taking any decision in the matter.
5. With the above clarification, the appeal along with the connected applications stand disposed of.
6. No costs.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S. SIVAGNANAM)
CHIEF JUSTICE

I agree.

(HIRANMAY BHATTACHARYYA, J.)