

05.12.2024
Ct. no.2
Sl. No. 5
Moumita

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 27872 of 2024

**Mahajara Bibi
Vs.
The State of West Bengal & Ors.**

**Mr. Bibek Jyoti Basu
Mr. Uttam Kr. De
Mr. Md. Shadab Yunus
.... For the Petitioners**

**Mr. Malay Krishna De
Mr. Manas Kumar Sadhu
....for the State**

Two affidavits-of-service, filed in Court today, are taken on record.

On the prayer of Mr. Bibek Jyoti Basu, learned counsel appearing for the petitioner, leave is granted to the petitioner to file the supplementary affidavit affirmed on **November 27, 2024**, the same is filed in court today and is taken on record. Copy has already been served upon learned advocate for the state.

Mr. Malay Krishna De, learned state counsel appears for the respondents.

Learned counsel for the petitioners submits that she is the owner of a plot being **Dag No. 1081 comprising of an area of 6 Decimal, Mouza Kalyanpur, Purba Burdwan.**

Learned state counsel has submitted a report dated **November 29, 2024** issued under the seal and signature

of the respondent no. 4 before this court along with a copy of the survey map and record of right. These documents are taken on record. On the basis of these documents learned state counsel, submit the submersible pump set is being installed only on **Dag No. 1086** and **Dag No. 1075** and not on **Dag No. 1081**.

In view of the above submissions made on behalf of the state, no further order is required to be passed in this writ petition. It is clarified once again that the submersible pump set is in the process of installation for public purpose not on the plot being **Dag No. 1081**, of which the petitioner claims to be the owner.

It is further recorded that this court has gone into the question of any right an ownership of the petitioner in respect of **Dag No. 1081**.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations, this writ petition, **WPA 27872 of 2024** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)