

01.04.2024

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PG/KS

Ct. No.1

**M.A.T. 1999 of 2022
With
I.A. No. CAN 1 of 2023
With
CAN 2 of 2023**

**Mamata Rani Samanta
Versus
The State of West Bengal & Ors.**

Mr. Anindya Sundar Das
Mr. Anindya Bose
Ms. Avipsa Sarkar

.....for the appellant

In Re: I.A. No. CAN 1 of 2023

1. We have heard Mr. Anindya Sundar Das, learned advocate appearing for the appellant.
2. There is delay of 12 days in filing the appeal. We have perused the affidavit filed in support of the petition and we find that sufficient cause has been shown for not being able to prefer the appeal within the period of limitation.
3. I.A. No. CAN 1 of 2023 is allowed and the delay in filing the appeal is condoned.

In Re: M.A.T. 1999 of 2022

4. This intra-Court appeal is directed against the order dated 3rd November, 2022 in W.P.A. 8729 of 2022. The appellant filed the writ petition stating that he is aggrieved by the action of the private respondents, who

are forcibly trying to evict her. The learned Single Bench has recorded that the respondent no.6 is also a recorded owner of the said property and there is a family dispute and, therefore, granted liberty to move the Civil Court for appropriate relief.

5. We find that the observations and findings rendered by the learned Single Bench to be absolutely right calling for no interference. Apart from that there is also a direction to the police to maintain strict vigil and ensure that there is absolutely no breach of peace in the area.
6. Thus, we find no ground has been made out to interfere with the order passed by the learned Single Bench.
7. With the above observations, appeal along with the connected application (CAN 2 of 2023) stand dismissed.
8. No costs.
9. 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

(HIRANMAY BHATTACHARYYA, J.)