

DL-31

18.08.2025
Court No.26
(AD)

MAT 36 of 2024
With
IA No.: CAN 1 of 2024
With
IA No.: CAN 2 of 2025
Mintu Mondal & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Sambhu Nath. Ray, Advocate
Mr. Milan Kumar Maity, Advocate
Mr. Kazi Asif Iqbal, Advocate
Sk. Shahjamal Hazra, Advocate
Ms. Munmun Das, Advocate
... for the appellants

Mr. Suman Sengupta, Ld. AGP
Mr. Suddhadev Adak, Advocate
... for the State

Mr. Ankan Das, Advocate
Ms. Shradhya Ghosh, Advocate
... for the respondent no.6

1. Appeal is directed against an order dated September 26, 2023 passed in WPA 21006 of 2023.
2. There is an application for condonation of delay.
3. For the ends of justice, the averments made in the application for condonation of delay are accepted as sufficient.
4. Delay in making and filing the appeal is condoned.
5. IA No.: CAN 2 of 2025 is disposed of.
6. Appeal and the stay application are taken up for hearing with the consent of the parties.
7. By the impugned order, learned Judge dismissed

the writ petition upon returning a finding that there are civil disputes involved in the writ petition.

8. Essentially, the appellants as the writ petitioners seek eviction of the private respondents from an immovable property. The private respondents claim to be in possession of such immovable property.
9. Since no instrumentality of the State is involved with regard to the possession of the immovable property by the private respondents, we find no ground to interfere with the impugned order.
10. **MAT 36 of 2024** and **IA No.: CAN 1 of 2024** are **dismissed** without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)