

21.04.2025.
Item No. 7.
Court No. 13
sp

M.A.T. No. 11 of 2020
With
I.A. No. CAN 1 of 2020 (Old CAN 563 of 2020)
And
I.A. No. CAN 2 of 2020 (Old CAN 565 of 2020)

Bancharam Mondal & Ors.
Versus
Sri Krishna Gopal Bhattacharya & Ors.

Mr. Manas Kumar Das,
Mr. Aritra Kumar Thokdar
..for the appellants.

Mr. Susovan Sengupta,
Mr. Manas Kumar Sadhu
..for the State.

Mr. Partha Pratim Roy,
Mr. Sarbananda Sanyal,
Ms. Poulami Chakraborty.
...For the respondent nos. 1 to 3.

Re: CAN 1 of 2020

1. CAN 1 of 2020 has been filed seeking condonation of delay in filing the appeal.
2. Sufficient grounds have been made out in the instant application explaining such delay. Hence, the delay is condoned.
3. Accordingly, CAN 1 of 2020 is allowed and disposed of.

Re: MAT 11 of 2020

4. The appeal is directed against an order dated 25th July, 2019 passed by a Single Bench of this Court in W.P. 6668(W) of 2019. The issue was with regard to an

illegal construction on government land being L.R. Plot No. 1342.

5. A report in this regard was called for from the SDO, Kandi, Murshidabad and it was found that the construction effected by the appellant is illegal and without authority of law.

6. In the said circumstances, the Court directed the concerned SDO and/or other authorities to remove the construction over the admittedly vested land.

7. This Court finds no reason to interfere with the impugned order. Nobody has a right, to occupy public land and public pathways.

8. For the reasons stated above, MAT 11 of 2020 shall stand dismissed.

9. In view of the above, all connected applications shall also stand dismissed.

10. There shall be no order as to costs.

11. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)