

Dd 04 22.01.2025

MAT/213/2024
With
IA NO: CAN/1/2024, CAN/2/2025

ABBAS ALI MOLLA AND ORS
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Soma Ghosh, Advocates
... .. For the Appellants

Mr. Supratim Dhar, sr. adv.
Mr. Santimay Bhattacharya, Advocates
... .. For the State

1. CAN 2 of 2025 is an application for condonation of delay.
2. For the ends of justice, the delay in filing the appeal is condoned.
3. CAN 2 of 2025 is **allowed**.
4. Appeal is directed against an order dated January 17, 2024 passed in WPA 12374 of 2023.
5. By the impugned order, learned single Judge directed implementation of the order of the Upa-Pradhan dated November 22, 2018.
6. During the pendency of the appeal, an order was passed by the sub-divisional officer which the State claims to be implemented.
7. Writ petitioner/private respondent claims that, the entirety of the unauthorized construction involved in all the plots noted in the letter of Upa-Pradhan was not removed by the State.
8. Plots apparently belong to the writ petitioner/private respondent. We hasten to add that we are not declaring the right, title and interest of any of the

private parties in respect of such plot including that of the writ petitioner.

9. Writ petitioner is at liberty to avail of his remedies before the appropriate forum with regard to the allegations of unauthorized construction in respect of the plots involved in the letter dated November 22, 2018.
10. MAT/213/2024 along with all connected applications are **disposed of** without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)