

24.03.2025
Item No.8
gd/ssd

MAT/185/2025
SANKAR MAJUMDER AND ANR.
VS
STATE OF WEST BENGAL AND ORS.
IA NO: CAN/1/2025

Mr. Jaydip Basu.
Mr. Kaustav Chatterjee
..for the Appellants.

Mr. Rajarshi Basu,
Mr. S.K. Masud
..for the State.

Mr. Satyendra Agarwal,
Mr. Surendra Kumar Sharma,
Mr. Sudipta Maiti,
Mr. Goutam Malik
..for the Respondent Nos.6 and 7.

1. This intra court appeal by the private respondents in the writ petition is directed against an interim direction dated 16th January, 2025 in WPA 22634 of 2024.

2. Though we find no good and cogent reasons to examine the correctness of the order passed by the learned Single Bench, considering the relationship of the parties, namely, the first appellant being the son of the writ petitioners and the second appellant being the daughter in-law of the writ petitioners, we had issued certain directions in this appeal.

3. Pursuant to that, the writ petitioners had entered into the property on 17.3.2025 and they are

said to have unlocked the house with the keys which they are holding and the whole process was video-graphed and the copy of the video-graphed in a compact disk has been filed along with the report submitted by the Inspector-in-Charge, Raiganj Police Station. Along with the police report a statement given by the first writ petitioner is appended which is in regional language which shows that he has accepted the fact that they were able to open the house with the keys which were in their possession. The writ petitioners have filed an affidavit which is contrary to the stand taken by the first writ petitioner in his statement dated 17.3.2025.

4. The writ petitioners would contend that the keys of the entire premises are still with the appellants since the parties are at loggerheads and attempt to resolve the issue did not fortify.

5. We leave it open to the parties to agitate their rights in the pending writ petition.

6. We make it clear that we are not inclined to interfere with the impugned order.

7. With the above observations, the appeal stands disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)