

23
25.03.2025
S.D.
Ct. No. 26

M.A.T. 341 of 2025
With
CAN 1 of 2025
CAN 2 of 2025

Swapan Chatterjee @ Swapan Kumar Chatterjee
Vs
Koushik Mondal & Ors.

Mr. Kartick Kumar Bhattacharyya
Mr. Subhas Chandra Dutta
Ms. Somashree Dutta
Ms. Papiya Naskar

...For the Appellant

Mr. Atis Kumar Biswas
Ms. Jyoti Agarwal

....For the writ petitioner/respondent no. 1

Mr. Rajarshi Basu
Mr. Shehnaz Tareq Mina

...For the State

In re: **CAN 2 of 2025**

The delay of 63 days in making and filing the appeal is condoned on the basis of the averments made in the application for condonation of delay and for the ends of justice.

CAN 2 of 2025 is disposed of.

State and the private respondents are represented.

By consent of the parties, the appeal is taken up for final hearing.

By the impugned order dated December 4, 2024 passed in W.P.A. 19590 of 2024, learned Single Judge noticing the allegations of encroachment on public property directed an exercise to be carried out by the Jurisdictional Block Land & Land Reforms Officer to find out as to whether or not, there exists any encroachment. Upon doing so, the concerned B.L. & L.R.O. was directed to take appropriate steps based on the decision arrived at on such exercise being taken.

Exercise directed to be undertaken by the concerned B.L. & L.R.O. is for the purpose of finding out as to whether or not there exists any encroachment on any public property. In the event, the B.L. & L.R.O. is of the view that there exists any encroachment, then the concerned B.L. & L.R.O. was directed to take appropriate steps for removing of such encroachment.

The issue as to whether or not there is any encroachment is required to be decided. The concerned B.L. & L.R.O. will no doubt do so in terms of the order impugned. Depending upon the nature of the finding of the concerned B.L. & L.R.O., no doubt, concerned B.L. &

L.R.O. will take appropriate steps, as directed by the impugned order.

In such circumstances, we find no ground to interfere with the order impugned.

M.A.T. 341 of 2025 and the connected application being **CAN 1 of 2025** are **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)