

05.03.2025

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MAT 294 of 2025

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IA No.: CAN 1 of 2025

**The West Bengal Small Industries Development
Corporation Limited & Others**

– *Versus* –

Deepak Kejriwal & Another

Mr. Ashok Kumar Banerjee,
Mr. Debabrata Banerjee,
Mr. Mahendra Prasad Gupta,
Mr. Hemanta Kumar Das
... for the Appellants.

Mr. Saptansu Basu,
Mr. Indranil Roy,
Mr. Ayan Banerjee
... for the Respondent no.1/
Writ Petitioner.

Mr. Soumitra Bandyopadhyay,
Mr. Priyabrata Batabyal
... for the State/Respondent no.2.

The present appeal has been preferred challenging an order dated 26th February, 2025 passed in a writ petition, being WPA 25046 of 2023. By the said order the learned single Judge directed restoration of possession of the 'revised premises' in favour of the writ petitioner/respondent no.1. By the said order the learned Court also appointed joint Special Officers and directed them to be present at the 'revised premises' on 27th February, 2025 at 01:30 p.m. The writ petitioner was also directed to bring the keys and to hand over the same to the writ petitioner on the said date.

Mr. Banerjee, learned senior advocate appearing for the appellants submits that the writ

petitioner/respondent no.1 has not paid the dues pertaining to the property, in question. Approximately, an amount of Rs.1,57,00,000/- is due and payable to the appellants. On one hand the writ petitioner had withheld the payment of the said amount and on the other hand he wants to illegally continue in possession of the 'revised premises'.

He further submits that from the earlier orders passed by the learned single Judge in the writ petition it would appear that unnecessary adjournments were sought for on behalf of the writ petitioner.

Such contention has, however, been disputed by Mr. Basu, learned senior advocate appearing for the writ petitioner.

Records reveal that upon hearing the parties and considering the materials on record on 27th February, 2025 this Court refused the appellants' prayer for interim order.

Today, we have been informed that the order of the learned single Judge has been implemented and the possession of the said premises had been handed over to the writ petitioner/respondent no.1.

In view thereof, nothing remains to be decided in the present appeal and the appeal along with the connected application is, accordingly, disposed of with a request to the learned single Judge to dispose of the writ petition as expeditiously as possible without

granting any unnecessary adjournment to either of the parties.

There shall, however, be no order as to costs.

We make it clear that we not gone into the merits of the parties' claim and all points are kept open to be decided by the learned single judge in the writ petition.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all requisite formalities.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)