

09.06.2025
Item No.33.
Court No.06.
S. De

C.O. 1247 of 2025

Smt. Nandita Guin & Ors.
Vs
The Land Acquisition Collector, Birbhum.

Mr. Sekhar Biswas,
Mr. Abhirup Chakraborty,
...for the petitioners.

This is an application under Article 227 of the Constitution of India is at the instance of the decree holders and is directed against an order being dated 19th February, 2025 passed by the learned District Judge, Birbhum in L.A. Execution Case No. 07 of 2002.

It appears from the materials-on-record that three cheques of the State Bank of India were issued in favour of the decree holders namely, Smt. Nandita Guin, Joydeep Guin and Sandip Guin. A petition was filed by the decree holders for receiving the cheques which were taken up for consideration on 9th February, 2025.

It further appears that an authorization letter was filed by the decree holder namely, Nandita Guin whereby she authorized her younger son namely, Sandip Guin, one of the D.Hr to collect the account payee cheques in the name of Nandita Guin as she was unable to present herself due to her various

ailments. Such prayer was also allowed by the impugned order and the cheques in the name of Nandita Guin was directed to be handed over to Sandip Guin on producing his identity proof.

After going through the order impugned, this Court fails to understand as to how the petitioners can be said to be a “person aggrieved” against such order.

The learned advocate appearing for the petitioners submits that the petitioners have raised a dispute as to the calculation of the interest and the aforesaid cheques which were issued in favour of the decree holders, has been received with objection. Since the petitioners cannot be said to be a person aggrieved in so far as the order dated 19th February, 2025 is concerned, this Court is not inclined to interfere with the order impugned. The petitioners are, however, left free to work out their remedies in accordance with law.

With the above observations, C.O. 1247 of 2025 is disposed of.

(Hiranmay Bhattacharyya, J.)