

03.09.2025
Item No.19 with 20
Ct. No.26
CHC

F.M.A. 761 of 2025
IA NO: CAN/1/2025
Kajal Sarkar
Vs.
The State of West Bengal & Ors.
with
M.A.T. 826 of 2025
Kajal Sarkar
Vs.
The State of West Bengal & Ors.

Mr. Siddhartha Ruj, Advocate
...for the appellant

Mr. Gopal Ch. Ghosh, Sr. Advocate
Mr. Rajkrishna Mondal, Advocate
...for the respondent nos.7, 8 & 9

Mr. Alak Kumar Ghosh, Advocate
Mr. Gopal Chandra Das, Advocate
...for the K.M.C

Mr. Rajarshi Basu, Advocate
Sk. Md. Masud, Advocate
...for the State in FMA 761 of 2025

Mr. Rajarshi Basu, Advocate
Mr. K. M. Hossain, Advocate
...for the State in MAT 826 of 2025

1. Affidavit-of-service filed in Court be taken on record.
2. Writ petition is aggrieved by the order dated February 19, 2025 passed in two writ petitions.
3. Appellant before us claim that, the authorities did not correctly assess the quantum of the land which is to be treated as embankment of pond.
4. Learned advocate appearing for the appellant on instruction submits that, the appellant seeks to withdraw both the appeals.
5. All respondents are represented.

6. None of the respondents object to the appellant withdrawing the writ petition itself.
7. In such circumstances, prayer for withdrawal of the writ petition is allowed.
8. Impugned order dated February 19, 2025 is set aside since, the appellant seeks to withdraw the writ petition in which such order was passed.
9. We clarify that, we did not enter into the merits of the rival contentions. The same are left open to be decided before the appropriate forum.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)