

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

Present:

The Hon'ble Justice Debangsu Basak

And

The Hon'ble Justice Md. Shabbar Rashidi

MAT 728 of 2025

With

IA No.: CAN 1 of 2025

Nazima Bibi

Vs.

The State of West Bengal & Ors.

For the Appellant : Ms. Pampa Dey Dhabal, Advocate
Ms. Sangita Banejee, Advocate

For the State respondents : Mr. Soumitra Bandopadhyay, Ld. Sr. Govt. Advocate
Mr. Ram Chandra Guchhait, Advocate

Hearing & Judgment on : June 12, 2025

DEBANGSU BASAK, J.:-

1. IA No.: CAN 1 of 2025 is an application for condonation of delay.
2. Department reports the delay of 9 days.
3. Considering the averment made in the application for condonation of delay and for the ends of justice, we deem it appropriate to condone the delay in making and filing the appeal.
4. IA No.: CAN 1 of 2025 is allowed.
5. Appeal is taken up for final hearing by consent of the parties.

6. Appeal is directed against an order dated March 24, 2025 passed in WPA 26353 of 2024.
7. By the impugned order, learned Single Judge held that, the appellant before us is a post acquisition purchaser.
8. Learned Advocate appearing for the appellant submits that, appellant is in actual physical possession of the plot concerned. She points out that, one portion of the land is a water body and that, the appellant erected a boundary wall on the portion which the appellant is occupying. She submits that, the plot is yet to be demarcated.
9. Learned Advocate appearing for the State submits that, the entirety of the plot was acquired and such fact was placed before the learned Single Judge. Learned Single Judge proceeded on the basis of that, the plot concerned stood acquired by the State and that, appellant is a post vesting purchaser.
10. The finding that, the plot concerned stood acquired and, therefore, vested with the State, as returned by the learned Single Judge, is not established to be perverse in the present appeal.
11. In such circumstances, we find no merit in the present appeal.
12. **MAT 728 of 2025 is disposed of** without any order as to costs.

(Debangsu Basak, J.)

13. I agree.

(Md. Shabbar Rashidi, J.)