

Dd 20 21.05.2025

WPLRT/81/2025

**SALIM AND ORS.
VS
THE STATE OF WEST BENGAL AND ORS.**

Mr. Habibur Rahman, Advocate
... .. For the Petitioners

1. Writ petition is directed against an order dated April 1, 2025 passed in OA 495 of 2025 (LRTT).
2. Writ petition is at the behest of the private respondents in the original application.
3. By the impugned order, learned tribunal noted that, there was a misc. case pending in respect of the subject land. Learned tribunal found that since the original application stood admitted and allowing the misc. case to be decided on merits in respect of the same land, will not subserve the interest of justice. Accordingly, learned tribunal directed further proceedings of misc. case to be stayed until further orders.
4. View taken by the learned tribunal is plausible.
5. Interim order passed by the learned tribunal impugned before us contains reasons.
6. Petitioners before us are not in a position to establish before us that the original applicant did not make out a *prima facie* case for the purpose of grant of interim relief or that the balance of convenience and inconvenience was against the grant of interim relief or that the petitioners before

us are facing undue hardship by reasons of the interim relief granted.

7. In such circumstances, we find no merit to interfere with the order impugned.
8. WPLRT/81/2025 is **dismissed** without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)