

**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 1037 of 2024

Md. Allarekha Mandal & Anr.

Vs.

The State of West Bengal & Ors.

For the appellants : Mr. Ayan Kumar Boral, Advocate
(Through Video Conference)

For the respondent nos.10 and 11 : Md. Sarwar Jahan, Advocate
Mr. Mobaidur Hossain, Advocate

Heard & Judgment on : January 10, 2025

DEBANGSU BASAK, J.:-

1. Informal paper book filed by the respondents be taken on record.
2. Appellants did not prepare informal paper book despite being permitted to do so and time thereof being extended.
3. Appeal is directed against an order dated May 9, 2024 passed in WPA 1243 of 2024.
4. Appeal is at the behest of the writ petitioners.
5. Learned Advocate appearing for the appellants submits that, appellants are carrying on business in Plot Nos.2065 and 9326. In support of his contention, he draws the attention of the Court to the

- two trade licences issued in favour of the appellants in this regard. He submits that, his clients are no way concerned with Plot No.5385.
6. On an allegation of unauthorized construction in an earlier round of litigation, High Court directed removal of unauthorized encroachers in Plot No.5385.
7. By the impugned order, learned Single Judge noticed the fact that there subsists an order dated October 4, 2023 passed in WPA 18601 of 2023 for removal of unauthorized encroachers in respect of Plot No.5385.
8. As noted above, none of the appellants are before us are claiming any right, title and interest in respect of Plot No.5385 from which unauthorized occupants were directed to be removed.
9. Again, as noted above, learned Single Judge directed removal of unauthorized encroachers from Plot No.5385.
10. In such circumstances, we find no merit in the present appeal.
11. **MAT 1037 of 2024** is **dismissed** without any order as to costs.

(Debangsu Basak, J.)

12. I agree.

(Md. Shabbar Rashidi, J.)