

**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 1282 of 2025  
With  
IA No.: CAN 1 of 2025**

**Bulti Mondal  
Vs.  
The State of West Bengal & Ors.**

For the Appellant : Mr. Pawan Kumar Gupta, Advocate  
Ms. Sofia Nesar, Advocate  
Mr. Santanu Sett, Advocate

For the State : Mr. Joydeep Banerjee, Advocate  
Mr. Raja Ram Banerjee, Advocate

For the respondent no.4 : Mr. Uday Narayan Betal, Advocate (Through VC)  
Mr. Bhaskar Hutait, Advocate  
Mr. Sujit Bhunia, Advocate

Hearing & Judgment on : August 20, 2025

**MD. SHABBAR RASHIDI, J.:-**

1. Appeal is directed against an order passed by the learned Single Judge on July 4, 2025 passed in WPA 13474 of 2025.

2. By the impugned order, the learned Single Judge dismissed the writ petition filed on behalf of the appellant and directed the appellant to approach the appropriate jurisdictional authority or the courts concerned. It was noted by the learned Single Judge that a report submitted on behalf of the State reflected that a land dispute was going on between the respondent no.4 and the writ petitioner for a considerable period of time over the land.
3. At the time of hearing, learned Advocate appearing for the appellant submits that the appellant received benefits under a house building scheme in respect of the plot concerned.
4. Learned Advocate appearing for the appellant relies upon LRROR in respect of J.L. No.199 relating to Plot No.5453. It was also contended that the benefits under the government scheme was sanctioned in favour of the petitioner to be built over the concerned property.
5. The LRROR in respect of the plot in question goes to show that the writ petitioner holds 0.16 undivided share in the land in question which comes to 0.02 acre. The documents referred to by the learned Advocate appearing for the appellant in the case demonstrate that the plot in question is jointly owned between its owners and is yet to be partitioned by metes and bounds. The writ petitioner does not have an exclusive right and title over a portion of land which was selected for the purpose of construction of the dwelling house under the government scheme.

6. Learned Single Judge, therefore, rightly held that there are disputes over the immovable property concerned.
7. In such circumstances, we find no merit in the appeal.
8. Consequently, **MAT 1282 of 2025** and **IA No.: CAN 1 of 2025** are **dismissed** without any order as to costs.

**(Md. Shabbar Rashidi, J.)**

9. I agree.

**(Debangsu Basak, J.)**

(AD)