

23.04.2025
(D/L-9)
Ct. No.1
(B.K.N.)

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

**M.A.T. 15 of 2025
With
IA NO: CAN 1 of 2025**

**Sri Rajit Das & Ors.
Vs.
M/s. Rajputana Realty Private Ltd. & Ors.**

Mr. Partha Protim Roy,
Mr. Debasish Mukhopadhyay,
Ms. Madhushri Dutta
...for the Appellants

Mr. Joyjit Choudhury, Ld. AAG,
Ms. Bedashruti Bose,
Ms. Rima Sarkar
...for the State

Mr. Suddhasatya Banerjee,
Mr. Saswat Biswas,
Mr. Sumit Biswas,
Ms. Rishita Chakraborty
...for the Respondent No. 1/Writ Petitioner

1. The petitioner was intervener in the writ proceedings claiming title over the plot of lands, demarcation of which was sought by the writ petitioner. The Hon'ble Single Judge has been pleased to pass the following order:

“In view of the complexity of the issue, as suggested by Mr. Joyjit Chowdhury, learned Additional Advocate General, the S.D.L.R.O., Jalpaiguri, the respondent no. 2 herein, is directed to dispose of the aforesaid representation of the petitioner in light of the observation(s) made above, in accordance with law, after giving the representatives of the petitioner and the

respective clients of Mr. Ghosh and of Mr. Roy, an opportunity of hearing.

The petitioner shall supply the copy of the writ petition, and Mr. Ghosh and Mr. Roy shall supply the list of their clients to the respondent no. 2.

The said respondent shall complete the drill in this regard within a period of **eight weeks** from the date of communication of this order.

W.P.A. 2411 of 2024 is disposed of with the above terms without any order as to costs.”

2. The learned counsel for the appellants submits that since the appellants have title, interest in the lands and the lands are subject matter of the civil litigation between the parties he apprehends that an order may be passed by the respondent no. 2 of the writ petition, effecting the rights of the parties, pending adjudication in the civil cases.
3. We find no reason for such apprehension as the order of the Hon’ble Single Judge is clear only to dispose of a representation, which obviously has to be in accordance with law. It will be open to the present appellants to join the proceedings and point out to the authorities concerned (respondent no. 3) the claim of the present appellants so that the same may be taken into consideration.
4. The appeal as well as pending application thus stands disposed of.
5. Since the Hon’ble Single Judge has allowed eight weeks time and the appeal was pending till date, we

consider it appropriate that the time allowed by the Hon'ble Single Judge be extended by a further period of eight weeks from date.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)