

09.02.2026
Court No.13
Item No.17
AP

MAT 2063 of 2025
With
CAN 1 of 2025
With
CAN 2 of 2025

The State of West Bengal and Ors.
Vs.
Monojit Sinha and Ors.

Mr. Jayanta Samanta,
Mr. Bikash Goswami

.... For the Appellant/State.

Mr. Surendra Kumar Sharma
Ms. Arpita Goswami

.... For the Writ Petitioners/Respondents.

Re. : CAN 1 of 2025

1. Affidavit of service filed in Court today is taken on record.
2. The application being CAN 1 of 2025 has been filed seeking condonation of delay.
3. For the reasons stated in the application and for the interest of justice, the application is allowed. Delay in filing of the appeal is condoned.
4. Accordingly, CAN 1 of 2025 is allowed.

Re.: MAT 2063 of 2025
With
CAN 2 of 2025

5. It appears that by the impugned order, the Single Bench has only directed implementation of the order dated 29th August, 2011 passed by the learned Civil Judge, Junior

Division, Additional Court, Tamluk in Title Suit No.16 of 2008.

6. The Civil Court directed that the petitioners have received title to the subject matter of the suit and the appeal by the Medinipore Zilla Parishad against the order of the Civil Judge was dismissed for default on 6th August, 2019.

7. Counsel for the respondents submits that he has not received any instructions from his client in that regard. His clients instructed him that the Zilla Parishad has not taken any steps for restoration of the appeal.

8. Be that as it may, since the order of dismissal was passed sometime in August 2019, the names of the writ petitioners/respondents must be recorded in the concerned ROR inter alia in respect of LR Khatian No.187/34, 187/43 corresponding to RS Khatian No.258 Plot Nos.207 & 207/339 and as per RS Khatian No.257 Plot No.221/341 under Touzi 24B-11.

9. Needless to mention that in the event the Medinipore Zilla Parishad takes steps to revive the appeal, the recording of the aforesaid plot numbers in favour of the respondents/ writ petitioners shall abide by the result of such appeal.

10. With the aforesaid directions, MAT 2063 of 2025 is disposed of. Consequently, pending application being CAN 2 of 2025 is also disposed of.

11. There shall be no order as to costs.

12. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)