

CORAM:HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD

Order No. 03 / Dated 18th May, 2023

Mr. Gaurav Raj, learned counsel appearing for the respondent Housing Board, has sought for four weeks' time to file counter affidavit.

Learned counsel for the petitioner has submitted that since it is a case of eviction from the possession of the land and, as such, the writ petitioner may be protected.

It has been submitted that in the similar circumstances pertaining to the same plot, the order to that

effect has been passed by the Coordinate Bench of this Court in W.P.(C) No.5178 of 2019 dated 17.11.2021.

Mr. Gaurav Raj, learned counsel appearing for the respondent Housing Board, after going through the order, is fair enough to submit that the fact of W.P.(C) No.5178 of 2019 is similar to that of the present one.

Considering the same and by taking into consideration the fact that the Coordinate learned Single Judge has passed an order, interim in nature, that no coercive steps shall be taken against the petitioner in pursuance to the impugned notices dated 01.08.2019 and 18.08.2019, therefore, the propriety demands that similar protection is given to the writ petitioner also.

Accordingly, no coercive steps shall be taken against the petitioner in pursuance to the impugned notice dated 10.01.2023.

The interim order to operate till next date of hearing.

Let this matter be listed on 21.06.2023.

(Sujit Narayan Prasad, J.)