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27.09.2024
BP
Ct. No. 2

W.P.A 23065 of 2024

**Suvendu Dubey
-versus
The State of West Bengal & Ors.**

**Mr. B.N. Ray
Ms. Shetparna Ray
...for the Petitioner**

**Mr. Chandi Charan De, Ld. Additional
Government Pleader
Mr. Anirban Sarkar
..for the State**

Affidavit of service filed in Court today is taken on record.

Considering the issue involved in this writ petition, there is no scope for any interim order.

The respondent no.4 shall file a report indicating the following things:

- (i) The subject land on which a pathway has been constructed as alleged by the petitioner whether belongs to the petitioner or not;
- (ii) Whether the land is actually being used as a pathway and if so whether the State has acquired or not;
- (iii) Whether the said land is being used upon encroachment of the other private individuals other than the State authority;



In addition to the above the respondent no.4 shall also file the report in the light of the case made out in the writ petition.

Such report shall be filed on/or before November 20, 2024.

The petitioner shall file exception thereto in the form of affidavit on or before November 27, 2024.

The writ petition shall appear under the heading "Hearing" in the Monthly List of December, 2024.

However, if there is any subsequent development or subsequent discovery of facts by the petitioner the petitioner shall be at liberty to apply for interim relief by way of necessary application.

(Aniruddha Roy, J.)