

08. 10.05.2024
Court No.6
(Tanmoy)

MAT/1711/2017

**SMT. PRITIKANA MONDAL & ANR.
VS
THE STATE OF WEST BENGAL & ANR.**

**WITH
IA NO: CAN/1/2017(Old No: CAN/11405/2017)**

Mr. Partha Pratim Roy, Adv.,
Mr. Tanmoy Mukherjee, Adv.,
Mr. K. Raihan Ahmed, Adv.,
Mr. Tapas Chatterjee, Adv.

...for the appellants.

Mr. Amitesh Banerjee, Ld. Sr. St. Counsel,
Mr. Tapan Mukherjee, Ld. AGP,
Mr. Tarak Karan, Adv.,
Mr. Suddhadev Adak, Adv.

...for the State.

This appeal is directed against a judgment and order dated September 4, 2017, whereby the writ petition of the appellants herein being WP 27723(W) of 2007, was dismissed by a learned Judge of this Court.

The appellants/writ petitioners are transferees of a plot of land in Kalyani. The transfer was made in their favour with the permission of the State Government in the year 1993. The State Government appears to have cancelled the lease in their favour in 2002 on the ground of failure to make construction on the concerned plot within two years. The State Government also claims to have taken possession at that time.

In the course of hearing, we find in the order impugned, reference to certain documents filed before the learned Single Judge which may be very relevant. Let the records of the writ petition be placed before us on the next date. Once such records arrive, learned Advocates for the parties will be at liberty to take inspection thereof.

Mr. Karan, learned Advocate appearing for the State, is requested to obtain instruction on the status of the plot of land in question. He should also take instruction on whether or not it is possible now to amicably settle the disputes by handing over possession to the appellants or by withdrawing the letter of cancellation of the lease and permitting the appellants to make construction thereon on such terms and conditions as the State Government may decide.

List the matter immediately after the 'Summer Vacation', on June 11, 2024.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)