

S/L 58  
16.07.2025  
Court. No. 19  
*Sourav*

**WPA 24585 of 2013  
With  
CAN 13 of 2025**

**Ranjit Mondal & Anr.  
Vs.  
The State of West Bengal & Ors.**

*Mr. S. N. Mitra, Sr. Adv.  
Mr. Timir Baran Saha*

*...for the petitioners.*

*Mr. Swarup Banerjee  
Mr. Sajal Kr. Ghosh  
Mr. Arindom Chatterjee  
Mr. Subham Biswas*

*...for intervenor.*

**In Re: CAN 13 of 2025**

1. The affidavit-in-opposition as filed on behalf of the applicants against the interlocutory application being CAN 13 of 2025 is taken on record.
2. By filing the interlocutory application being CAN 13 of 2025, the applicants have prayed for impleading them in the instant writ petition.
3. It is submitted on behalf of the applicants of CAN 13 of 2025 that it is the specific case of the present applicants that they are the lawful owners of R.S. Dag No. 173 in Mouza – Kumarpur and they have inherited their right from their predecessor-in-interest. It is further submitted that since the subject matter of the instant writ petition pertains to self-same R.S. Dag number, the present applicants of CAN 13 of 2025 are necessary parties for the purpose of adjudication of the instant writ petition being WPA 24585 of 2013.

4. Such prayer is vehemently opposed on behalf of the writ petitioners. It is contended on behalf of the writ petitioners that from the prayers made in the instant writ petition, it would reveal that for proper adjudication of the instant writ petition, the present applicants are neither proper nor necessary party. It is further submitted on behalf of the writ petitioners that the present applicants of CAN 13 of 2025 have chosen a wrong forum since in order to establish their alleged independent right, title and interest over R.S. Dag No. 173, the said applicants ought to have approached the common law forum.
5. On careful consideration of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties, it reveals that in the instant writ petition, the writ petitioners have prayed for issuance of appropriate writ/writs against the respondents/authorities basically for quashing of the land acquisition proceeding, particulars of which has been mentioned in prayer (b) of such writ petition with a further prayer for issuance of writ of prohibition against the respondents/authorities not to raise any construction on R.S. Dag No. 173.
6. On further perusal of the interlocutory application being CAN 13 of 2025, it reveals that it is the case of the applicants that they are also the co-owners of R.S. Dag No. 173.
7. Admittedly, in this writ petition the Court is not supposed to decide title of the parties, however, since *prima facie* materials have been placed before this Court on behalf of the applicants in CAN 13 of 2025 that they have some

interest in R.S. Dag No. 173, this Court considers that justice would be sub-served if the applicants of the CAN 13 of 2025 are added as proforma respondents in the instant writ petition.

8. With the aforementioned observation, the interlocutory application being **CAN 13 of 2025** is hereby allowed and disposed of.

**In Re: WPA 24585 of 2013**

1. In view of the order passed hereinabove, the department is directed to insert the names of the applicants in CAN 13 of 2025 as proforma respondents in the cause title of the instant writ petition forthwith.
2. Learned advocate on record for the writ petitioners is hereby requested to supply a copy of the instant writ petition with all annexures to the learned advocate for the newly added proforma respondents.
3. Let the matter be listed on August 26, 2025 under the heading “**For Hearing**”.

**(Partha Sarathi Sen, J.)**