

14.12.2023
SL.08, Ct.2
AJ.

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Appellate Side**

W.P.A. 2589 of 2023

**T & I Global Limited & Anr.
-Vs-
The State of West Bengal & Ors.**

Mr. Bikramaditya Ghosh,
Ms. Supriya Singh.
.....for the Petitioners.

Mr. Hirak Barman,
Ms. Bdashruti Bose.
.....for the State.

‘Tista Construction’ is the contractor engaged to execute the project works, as such is a necessary party to the writ petition, leave therefore is granted to the learned Advocate for the petitioners to add the said contractor as a party respondent to the writ petition. A copy of the writ petition along with a copy of this order be served upon the said added respondent.

In compliance with the order dated December 12, 2023 Mr. Sourav Bhattacharya, Executive Engineer, North Bengal Development Department, Cooch Behar is personally present before this Court, his such further appearance is dispensed with until further orders.

Mr. Barman, learned Counsel for the State respondents on instruction of the said officer submits that the project is being carried out on the river embankment and on the lands of the river, therefore, there is no question of using the lands of the petitioners in the said project. He further submits that there was an approach road which needs to be developed and the

contractor is only developing the said road to facilitate the said project.

Mr. Ghosh, learned Counsel for the petitioners submits that the road is on the lands of the petitioners and it cannot be used/developed without levying appropriate acquisition proceeding.

To resolve the dispute, the inspection and measurement of the lands used in the said project is necessary.

The Block Land & Land Reforms Officer, Mekhligunj therefore is directed to hold a joint inspection of the lands under exploitation in the said project with the representatives of the petitioners, the Officers of North Bengal Development Department, Cooch Behar and also a representative of the added party.

The drill in this regard is to be carried out within a period of four weeks from the date of communication of this order.

The said Block Land & Land Reforms Officer is required to file a report regarding the outcome of the said inspection before this Court on the next date of hearing.

Matter be placed before the next available Circuit Bench.

Parties to act on the server copy of this order duly downloaded from the official website of the Court.

(Biswajit Basu, J.)