

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

IA 5/2004 in CIVIL APPEAL NO. 9599 OF 2003

STATE OF WEST BENGAL & ORS.

Appellant (s)

VERSUS

SANTINIKETAN SOCIETY & ORS.

Respondent(s)

(for directions and office report )

Date: 16/08/2005 This Appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE G.P. MATHUR

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Appellant(s)

Mr. Avijit Bhattacharjee,Adv.

For Respondent(s)

Mr. Siddharth Bhatnagar, Adv.

Ms. Swati Grover, Adv.

Ms. Sonia Dube, Adv.

Ms. Indra Sawhney,Adv.

Mr. Bijan Kumar Ghosh ,Adv

Mr. Abhijit Sengupta ,Adv

Mr. Shanti Ranjan Dass, Adv.

Mrs. Sarla Chandra, Adv.

For Applicant in IA 5

Mr. Bijan Kumar Ghosh, Adv.

Mr. Jnan Prakash Bag, Adv.

UPON hearing counsel the Court made the following

O R D E R

I.A. No.5 in CA 9599/2003

Respondents No. 10 to 14 are applicants in the present application. The directions sought

for in the application are :-

"(a) pass an order that the 30 bighas of demarcated land as described in

Annexure-B(sketch map), being a part of C.S. Dag No. 356 which

admittedly belongs to the Applicants by inheritance, is not subject

matter of this Appeal;

(b) pass a direction upon the appropriate authorities to mutate the

name of the applicants

with regard to the 30 bighas of demarcated land as described in

Annexure-B (sketch map), being a part of C.S. Dag No. 356 which

admittedly belongs to the Applicants by inheritance, forthwith."

On the applicants' own showing the property in respect of which the directions are being

sought for vide this application is not subject matter of this appeal. However, the correctness of this

factual averment is disputed by the learned counsel for the appellants. The fact remains that as the

stand of the applicants is that the property in respect of which directions are sought for is not subject

matter of this appeal, no directions can be made by this Court. The applicants are free to pursue such

other remedy as may be open to them under the law.

The I.A. stands disposed of.

(Ajay Kr. Jain)  
(Prem Prakash)

Court Master  
Court Master