

**WPA 20274 of 2003**

**Mst. Mansura Khatoon & Ors.**  
**Vs.**  
**The State of West Bengal & Ors.**

*Mr. Debjit Mukherjee  
Mr. Kaustav Bhattacharyya  
Ms. Priyanka Jana*

*...for the petitioners.*

*Mr. Santanu Kr. Mitra  
Mr. Samrat Paul*

*...for the State.*

1. The writ petitioners and the respondent/State and its instrumentalities are represented by their respective learned advocates.
2. On behalf of the respondent/State, Mr. Mitra, learned advocate submits a report in the form of affidavit as affirmed on behalf of the respondent no. 7 after serving a copy of the same to Mr. Mukherjee, learned advocate appearing on behalf of the writ petitioners. Let the report as filed today be taken on record.
3. Mr. Mukherjee, learned advocate appearing on behalf of the writ petitioners also files a supplementary affidavit which is also taken on record.
4. By filing the instant writ petition, the writ petitioners have prayed for issuance of appropriate writ/writs against the respondents/authorities, more specifically, against the respondent no. 2/authority commanding him not to disturb the peaceful possession of the writ petitioners in respect of R.S. Plot No. 1096, R.S. Khatian No. 987 of Mouza - Jaduberia, Police Station – Uluberia, District – Howrah to the extent of 19 decimals.

5. At this juncture, Mr. Mitra, learned advocate appearing on behalf of the respondent/State draws attention of this Court to the report as filed today. It is submitted by Mr. Mitra that from the report as filed today, it would reveal that the suit plot no. 1096 was not found in the list of plots as have been acquired which is the subject matter of L.A. Case No. 47 (Act-II) of 1962-63.
6. From Page No. 7 of the supplementary affidavit as filed by the writ petitioners, it reveals that Additional Land Acquisition Officer (G), Howrah under cover of its memo dated 17.07.2014 addressed to the writ petitioner no. 6 communicated that C.S. Plot No. 1096 was not acquired in connection with L.A. Case No. 47 (Act-II) of 1962-63.
7. Such being the position, this Court while disposing the instant writ petition directs the respondents/authorities not to disturb the possession of the writ petitioners in respect of the aforementioned land except due process of law.
8. With the aforementioned observations, the instant writ petition being **WPA 20274 of 2003** is disposed of.
9. Urgent Xerox certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

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