

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.893 OF 2016  
(Arising out of SLP(Civil)No.27070 of 2014)

State of West Bengal ... APPELLANT (S)

VS.

Calcutta Pinjrapole Society ... RESPONDENT(S)

WITH

CIVIL APPEAL NO.896 OF 2016  
(Arising out of SLP(Civil)No.25127/2015)

J U D G M E N T

Anil R.Dave, J.

1. Leave granted.
2. Heard the learned counsel for the parties.
3. Looking at the peculiar facts of the case, we are of the view that it would be just and proper to remit these matters to the Reference Court so that the title, which is in doubt and dispute, can be finally ascertained and accordingly the amount of compensation can be given to the rightful owner.
4. In the circumstances, the impugned judgments are set aside and the appeals are remitted to the Reference Court so as to decide the title and claim of the concerned persons.
5. The parties shall appear before the Reference Court on 8<sup>th</sup> March, 2016 so that the Reference Court can initiate hearing of the case.

6. We are sure that the Reference Court shall do the needful to dispose of the case at an early date.

6. The Reference Court shall also permit the parties to lead additional evidence so as to establish their title.

7. In view of the above, the appeals are disposed of as allowed. No order as to costs. Pending application, if any, stands disposed of.

.....J.  
[ANIL R. DAVE]

.....J.  
[SHIVA KIRTI SINGH]

.....J.  
[ADARSH KUMAR GOEL]

New Delhi;  
5<sup>th</sup> February, 2016.

JUDGMENT