

**SUPREME COURT OF INDIA**

State of West Bengal

Vs.

Calcutta Pinjrapole Society

C.A.No.893 of 2016

(Anil R.Dave,J., Shiva Kirti Singh and Adarsh Kumar Goel,JJ.,)

05.02.2016

**JUDGMENT**

**Anil R.Dave,J.,**

SLP(Civil)No.27070 of 2014

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 8th 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.
7. The Reference Court shall also permit the parties to lead additional evidence so as to establish their title.
8. In view of the above, the appeals are disposed of as allowed. No order as to costs. Pending application, if any, stands disposed of.