

24.9.2020

ap
05

**W. P. A. 6165 of 2020
I A No. CAN 1 of 2020
(CAN 4461 of 2020)**

(Via Video Conference)

**Pratap Singh Barua
Vs.
State of West Bengal & Ors.**

Mr. Golam Md.
... For petitioner.

Mr. Bibek Jyoti Basu
Mr. Subrata Ghosh
... For State.

Mr. Debdutta Raha
... For respondent no. 7.

Mr. Golam Md., learned advocate appears on behalf of petitioner and submits, his client wants to repair the house situate in concerned plot. Mr. Raha, learned advocate appears on behalf of private respondent no. 7 and submits, petitioner is a licensee whose licence has been revoked and his client has filed civil suit. Petitioner has admitted pendency of civil suit in his writ petition paragraph 23. Paragraph 23 in the writ petition is set out below: -

“That your petitioner submits that the private respondent no. 7 himself admitted that I am in physical possession over the said land as he filed the Suit (T.S. No. 1017 of 2016) stating that “suit for eviction of a trespasser on revocation of licence, permanent injunction and

temporary injunction”, which proves that the petitioner is in physical possession.”

It appears alternative efficacious remedy is available to petitioner on approaching civil Court where the suit is pending. Hence, this writ petition is dismissed together with connected application.

(Arindam Sinha, J.)