

04.12.2020
Item No.13
Ct. No.24
CHC

**W.P.A.7727 of 2020
C.A.N. 1 of 2020**

(Via Video Conference)

**Biplab Saha & ors.
Vs.
The State of West Bengal & Ors.**

Mr. Sandip Ghosh,
Mr. Partha Sarkar
...for the petitioners

Mr. Swapan Kumar Mazumdar
...for the respondent nos.4 & 5

Mr. Santanu Mitra,
Ms. Sangeeta Roy
...for the State

Mr. Prasenjit Debnath
...for the private respondent
nos.6 and 7

C.A.N.1 of 2020 is application for urgent consideration of the writ petition. The application is disposed of by taking up the writ petition for consideration.

Petitioners seek direction upon the Municipality to permit the petitioners to construct.

State, Municipality and the private respondents are represented.

It appears from the averments made in the writ petition that, there are two title suits pending

between the private parties. The issue of construction was raised in the pending title suits. Since such issue is pending the title suit it would not proper for the Writ Court to interfere.

In such circumstances, the private parties are at liberty to avail of their remedies before the appropriate forum, in accordance with law.

W.P.A.7727 of 2020 is disposed of.

(Debangsu Basak, J.)