

16.10.2020
Item no. SL-8
Court No.13
adeb

**W.P.A. No. 8322 of 2020
(Through Video Conference)**

**Sri Sushil Halder
Versus
The State of West Bengal & Ors.**

Mr. Pranay Roy
Mr. Joydip Banerjee
Mr. Gourav Das

...For the petitioner

Mr. S. Bhattacharya
Mr. Pran Gopal Das

...For the Private Respondent

The writ petitioner Sushil Halder claims to be a power of attorney holder of the original owners. He submits that the private respondents are forcibly holding a Durga Puja on land of which he is in charge of.

The writ petition itself has been affirmed by one Amit Halder claiming to be a son of Sushil Halder. The statements in the writ petition have been affirmed from paragraphs 1 to 4, 6 and 8 till 31 as true to the knowledge of the said Amit Halder. The bona fides of the statements made in the petition are therefore suspect.

It is further appears that in the previous year an attempt to restrain the said Durga Puja at the location was not entertained by this court as evident from order

dated 30.09.2019 passed in WP No. 19215 (W) of 2019.

In those circumstances, no order can be made in the writ petition. It is however made clear that the title to the movable property may be suitably ascertained and/or adjudicated by a civil forum as and when approached by any party.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertakings.

(*Rajasekhar Mantha, J.*)