

Court No. 24

05.03.2021

(Item No. 34)

(AB)

W.P.A 4143 of 2021

Shyama Prasad Porel

vs

The State of West Bengal & Ors.

Mr. Sk. Toslim Ali

..... for the petitioner

Mr. N. C. Bihani

Mrs. Papiya Banerjee Bihani

..... for State

The petitioner alleges that in spite of an order of interim injunction passed by the learned Civil Judge, (Junior Division), Amta, Howrah in T.S. No. 168 of 2019, the private respondent is forcibly drawing water lines beneath the land of the petitioner.

In view of such illegal drawing of pipelines the civil rights of the petitioner has been infringed.

The dispute raised by the petitioner regarding infringement of civil rights cannot be decided under Article 226 of the Constitution of India.

The petitioner will be at liberty to espouse this cause before the Civil Court where the Title Suit is pending. No relief can be granted to the petitioner in the instant case.

The writ petition stands dismissed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)