

29.07.2021
Ct. No. 8
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W.P.A 5715 of 2020
ith
I.A. No. CAN 1 of 2020(Old No. CAN 3646 of 2020)

Joyasree Halder
Vs.
The State of West Bengal & Ors.
(Via Video Conference)

Mr. Rajarshi Basu
..... for the petitioner

Mr. Amitesh Banerjee
.....for the State

Mr. Debabrata Saha Roy
Mr. Avik Ghatak
Mr. Subhankar Das
Mr. Neil Basu
Mr. Soham De Dhara
..... for the respondent no. 6

The complaint of the petitioner is that there is obstruction in the ingress and egress of the petitioner in respect of an immovable property.

State and private respondent are represented.

Learned advocate appearing for the private respondent no. 6 submits that, there are two title suits pending between the private parties with regard to the immovable property concerned. Petitioner is guilty of suppression of material facts.

Learned Senior Standing Counsel submits that, the complaint of the petitioner was enquired into.

Learned advocate appearing for the petitioner submits that the petitioner is not guilty of suppression of material facts. Petitioner averred as to the title suits in the points of law forming part of the writ petition.

The body of the writ petition is silent about the civil suits between the private parties. Points of law referred by the learned advocate appearing for the petitioner also do not speak of title suit pending before any Civil Court. Be that as it may, admittedly, there are two civil suits pending between the private parties. Disputes between the private parties relate to an immovable property and are civil in nature. Police took steps on the basis of the enquiry report. Accordingly, no further interference of the writ Court is called for. Private parties are at liberty to avail of their remedies before the appropriate forum in accordance with law.

Accordingly, the writ petition being W.P.A 5715 of 2020 is disposed of.

In view of disposal of the main writ petition, the connected application being I.A. No. CAN 1 of 2020(Old No. CAN 3646 of 2020) is also disposed of.

(Debangsu Basak, J.)