

11.08.2021.
Item No. 113.
Court No.13
pk

**W.P.A. No. 11476 of 2021
(Through Video Conference)**

**Mr. Dinabandhu Bera
Versus
The State of West Bengal & Ors.**

Mr. Srinjay Sengupta,
Mr. Saurav Ray,
Mr. Narottam Acharyya,
Mr. Ankush Ghosh

..for the petitioner.

Mr. Ansar Mondal,
Mr. Suprabhat Bhattacharya.

...for the State.

Mr. Balaram Pandit
... for the private respondent.

The writ petitioner complains that the private respondents are effecting constructions over a pond that belongs to him. The private respondent denies the same. However, proceeding being Title Suit No. 40 of 2014 is now pending before the Civil Judge (Junior Division), First Court at Contai, Purba Medinipur. An order of status quo has also been passed. Proceedings under Section 144(2) have been initiated at the instance of the writ petitioner.

This Court is of the view that the disputes between the parties is purely civil in nature and may be thrashed out in the pending civil proceedings.

However, the Officer-in-charge, Patashpur Police Station is directed to ensure that there is no breach of peace in the area.

Instructions dated 22nd July, 2021 are taken on record.

With the aforesaid observations, the writ petition is 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.)