

07.04.2021

Item No. 11

Crt. No. 07

b.r.

W.P.A. 10289 of 2020

Anadi Jana & Ors.

-vs-

The State of West Bengal & Ors.

Mr. Saibal Charya

Mr. Pradip Paul

..... for the petitioners.

Mr. K.C. Das

Mr. Sk. Sahjahan

..... For the Respondent Nos. 6,7.

The petitioners claim to be a Bargadar in respect of the Plot nos. 624 and 624/1090 in Mouza- Chakrasul, JL. No. 220 under the Police Station- Patashpur in the District of Purba Medinipur.

The petitioners made a complaint before various authorities including the Officer-in-Charge of Patashpur Police Station alleging that the private Respondents are creating disturbances in the cultivation activities of the petitioners.

Mr. Das, learned Advocate, appears for the Opposite Party Nos. 6 and 7 and submits that the private respondent No. 6 and 7 herein have already filed a suit for declaration of title and permanent injunction before the learned Civil Judge (Junior Division), 1st Additional Court at Contai being Title Suit No. 329 of 2019. He further submits that the learned Civil Judge has passed an order of ad interim injunction which was extended from time to time and the same is still

subsisting. It has been further submitted by Mr. Das that the petitioners are also contesting the application for injunction before the learned Civil Judge.

I have heard the learned Advocate for the parties and have perused the materials on record.

The dispute between the writ petitioners and the private respondents pertain to the right, title, interest and possession in respect of an immovable property. Such dispute is civil in nature and the same is pending before a civil court for its adjudication.

In view thereof, no relief can be granted in favour of the writ petitioners in the instant writ petition.

It will be open to the writ petitioners to agitate all points before the Civil Court and/or before the other authorities competent to decide such disputes.

WPA 10289 of 2020 stands accordingly disposed of with the above observation.

However, there will be no order as to costs.

All parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on compliance of all necessary formalities.

(Hiranmay Bhattacharyya, J.)