

Court No. 24

08.03.2021

(Item No. 19)

(AB)

W.P.A 10883 of 2020

Chandernagore Navabidhan Brahmo Samaj newly
Chandernagore Brahmo Samaj & Ors.
vs
The State of West Bengal & Ors.

Mr. Bhudeb Chatterjee

Mr. Basudeb Ghosh

Mr. Sanjib Kumar Ghosh

..... for the petitioners

Mr. Ayan Banerjee

Mr. Suman Banerjee

..... for the State

Mr. Suman Basu

..... for respondent Nos. 2 & 3

Mr. Sandip Bhattacharyya

... for respondent Nos. 4 & 5

Affidavit of service filed in Court is taken on
record.

The property in question is holding No. 457A
(old holding No. 445), R.S. Khatian No. 280, R.S. Plot
No. 452, corresponding to L.R. Khatian No. 745/2,
L.R. Plot No. 769 and French Plot Nos. 3288 and 3289
under the Chandernagore Municipal Corporation.

The petitioner alleges that a plan has been
sanctioned in the said property by practicing fraud
upon the Municipality.

It appears from the submissions made on
behalf of the parties that a Title Suit being T.S. No.
431 of 2015 is pending consideration before the First
Court of Civil Judge (Junior Division) at
Chandernagore and a Title Appeal being Title Appeal

No. 09 of 2018 is pending consideration before the learned Additional District Judge at Chandernagore.

Since the title of the property in question is under a cloud, the parties are relegated to the Civil Court for necessary relief.

W.P.A. 10883 of 2020 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.)