

S/L No.54

24.08.2021
Ct-8
(AD)

(Through Video Conference)

WPA 10997 of 2020

*Subal alias Bhima Chandra Manna (Since Deceased)
substituted by Ganapati Manna & Ors.*

vs.

The State of West Bengal & Ors.

Mr. Rabindranath Mahato

Mr. Aritra Shankar Ray

...for the Petitioners.

Ms. Ledia Dasgupta

... for the respondent nos. 8 to 11.

Petitioners seek a direction upon the respondent nos.8 to 11 to pay the consideration price/sale value of the paddy and straw taken away from the land of the petitioners amounting to Rs.33,500/-.

Learned Advocate appearing for the petitioners submits that there subsists a decree passed by the Civil Court. The private respondents took away the paddy from the petitioners. The private respondents are required to compensate the petitioners. He refers to a report of the police.

The private respondent nos.8 to 11 are represented.

It appears from the report of the police at page 50 of the writ petition that the police found the private respondents to have taken away the paddy. The private respondents deny such allegation. The issue as to whether the private respondents took away the paddy from the petitioners or not is yet to be conclusively established before a Court of competent jurisdiction.

The private respondents may or may not have taken the paddy belonging to the petitioners. Since the disputes between the petitioners and the private respondents are civil in nature, a Writ Court need not enter into that arena more particularly when the issue of quantification of the damages are involved. The private parties are at liberty to avail of their remedies before the appropriate forum in accordance with law.

WPA 10997 of 2020 is disposed of accordingly without any order as to costs.

Urgent certified website copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Debangsu Basak, J.)