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January 6,
2021

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
(Via Video Conference)**

W.P.A. No. 11628 of 2020

**Ratan Chakraborty
Versus
State of West Bengal and others**

Mr. Bibek Jyoti Basu,
Mr. Uttam Kr. De.
...for the petitioner.

Ms. Oindrila Ghosh,
Mr. Palash Bapari.
...for the private respondent no.5.

Affidavit of service filed in Court today is kept
on record.

The petitioner argues that the private
respondent no.5 is obstructing the petitioner's ingress
and egress to the petitioner's own shop room. As such,
the petitioner was compelled to approach the police
authorities, but to no effect.

The private respondent no.5 disputes such
allegations on fact.

However, from the materials on record and
the allegations made in the writ petition, it is evident
that the dispute between the petitioner and the private
respondent no.5 is civil in nature. Neither the police
nor the Writ Court ought to pass any specific direction,

which might affect the rights of the parties which fall within the domain of civil law.

Accordingly, WPA No.11628 of 2020 is disposed of by granting the petitioner liberty to approach the competent civil court for ventilating the grievances raised in the present writ petition. If so approached, the civil court shall decide the matter without being prejudiced in any manner by any of the observations made herein.

There will be no order as to costs.

Urgent website certified copies of this order, if applied for, be given to the parties upon compliance of all formalities.

(Sabyasachi Bhattacharyya, J.)