

07.09.2021.
Item No. 97.
Court No.13
pk

**W.P.A. No. 11852 of 2020
(CAN 1 of 2021)
(Through Video Conference)**

**Radha Nath Nandy
Versus
State of West Bengal & others**

Mr. Radha Nath Nandy
... petitioner in person.

Mr. Samrat Sen,
Ms. Amrita Panja Moulick
...for the State.

Mr. Subhankar Chakraborty,
Mr. Saptarshi Bhattacharjee
... for the respondent nos. 2 and 3.

The dispute between the petitioner and the private respondents is with regard to performing puja on a particular deity. The puja is being performed alternatively by the writ petitioner and the private respondents on odd and even years for about 100 years now.

Learned counsel for the private respondents submits that the deity has been retained primarily for failure on the part of the writ petitioner to perform puja in accordance with the prescribed practices. It appears that for the present year it is the writ petitioner, who is entitled to perform puja.

In that view of the matter, the petitioner and the private respondents shall agree to the custody of the

deity for the present year and shall amicably sort out the same without prejudice to any of their rights and contentions in law.

The Court has intervened in the matter although the dispute is primarily civil in nature as submitted by the counsel for the State. It is indeed true that the police has no role to play in the matter.

The aforesaid order is passed since the dispute is rather small and should be easily thrashed out and settled between the parties.

It is expected that the writ petitioner as well as the private respondents shall amicably and peacefully draw up terms that may be agreed amongst themselves or in terms of the practice being followed for the past 100 odd years.

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 downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)