

03.03.2022

Ct. No. 13

Sl.31

pk

W.P.A No. 329 of 2022
(Through Video Conference)

Pulin Krishna Kar Mahapatra
Vs.
State of West Bengal and others

Mr. Bhaskar Chandra Manna
.... for the petitioner.

Mr. Pantu Deb Roy,
Mr. Subrata Guha Biswas
... for the State.

Mr. Saibal Acharyya,
Mr. Apurba Krishna Das,
Mr. Kallol Kumar Maity
... for the respondent no. 7.

Affidavit of service filed in Court is taken on record.

The writ petitioner apprehends that the private respondent may interfere with his possession in violation of an order dated 24.02.2015 passed by the learned Additional District Judge in Title Appeal No. 4 of 2015.

Both the petitioner and the private respondent are contesting the appeal.

This Court is of the view that the writ petition cannot be filed based on apprehension of the parties. If the petitioner is in any way affected by any step taken by the private respondent in violation of the order of the learned Additional District Judge, suitable steps

may be taken under the provisions of Order 39, Rule 2A before the learned Additional District Judge himself.

This Court is of the view that the writ petition cannot be entertained and is therefore dismissed.

Since no affidavits have been called for by this Court, the allegations in the writ petition shall not be deemed to have been admitted.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)