

18.05.2022.
Court No.13
Item No. 17
pk

W.P.A. No. 6766 of 2022

**Bhai Bhai Fuel Station & Anr.
Versus
State of West Bengal & Ors.**

Mr. Pinaki Ranjan Chakraborti,
Mr. Amal Kumar Banerjee.

...For the petitioners.

Mr. Soumitra Mukherjee,
Mr. Nilotpal Chatterjee.

...For the State.

Mr. Srijib Chakraborty,
Mr. Jisan Iqbal Hossain,
Mr. Biswajit Sarkar.

...For the respondent nos.7 to 15.

The writ petitioners seek assistance of Bhagwangola Police Station, Murshidabad for unloading and loading of fuel in their petrol pump. The petrol pump has been set up, according to the petitioners, on their individual private land.

Counsel for the private respondents submits that there is a partition suit pending in respect of the suit land. The land has not been divided by meets and bounds. He refers to a Title Suit being T.S. No. 102 of 2022 filed by his clients, inter alia, against the petitioners seeking injunction.

It is submitted that since the petitioners were on caveat, and adjournment was sought for before the Court below at the ad interim stage.

In that view of the matter, since there is civil suit pending in respect of the title to the property on which there is a petrol pump, it would be

inappropriate for the Writ Court to intervene in the matter.

The parties may obtain appropriate orders from the Civil Court, either in the pending suit and/or any other proceedings, as they may be advised, in accordance with law.

With the above observations, the instant 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 duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)