

08.09.2022
Court No.13
Item No.59
AP

WPA 16649 of 2022

**Subal Chandra Maity
Vs.
The State of West Bengal & Ors.**

Mr. Raja Biswas
Mr. Abhijit Sarkar

... For the Petitioner.

Ms. Sipra Mazumdar
Ms. Prativa Ghatak

... For the State.

Mr. Sobhan Majumder
Ms. Kalpita Paul

... For the Respondent Nos.8 & 12.

The petitioner is aggrieved by the fact that despite complaint to the Officer-in-Charge, Nandigram Police Station; Circle Inspector, Mahishadal, Purba Medinipur and Superintendent of Police, Purba Medinipur, no steps have been taken to prevent the private respondents from interfering with the possession of his property.

Counsel for the private respondents produces the order sheet of Title Suit No.286 of 2016 filed by the writ petitioner before the learned Civil Judge (Junior Division) at Haldia.

It appears from the records that the writ petitioner has failed to produce the title deed in respect of the said property. A show-cause has been issued by the Civil Court on 14th June 2022 as to why the suit should not be dismissed.

The pendency of the aforesaid suit has been completely suppressed in the writ petition.

In these circumstances, this Court is of the view that the writ petition is misleading and the petitioner is guilty of suppression of material facts.

Hence, the writ petition shall stand dismissed, with costs assessed at Rs.5,100/- payable by the writ petitioner to the private respondents.

The order sheet of the Civil Court in Title Suit No.286 of 2016 is kept with the record.

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

(Rajasekhar Mantha, J.)