

01.12.2022.
Court No.13
Item No. 449
ap

W.P.A. No. 18039 of 2019

**Fakir Ahammad
Versus
State of West Bengal & Ors.**

Md. Younush Mondal.

...For the petitioner.

Although affidavits have been called for by a Co-ordinate Bench of this Court on 23rd September, 2019, this Court is of the view that the matter has substantially been dealt with in the order.

The petitioner is aggrieved by obstruction of the private respondents in construction over a plot.

Admittedly, civil suit is pending between the parties being Title Suit No. 475 of 2019.

Counsel for the petitioner submits that in respect of one plot of land, there is disturbance by the private respondents.

This Court is of the view that the disputes between the parties are purely civil in nature and civil remedies may be pursued either in the pending Civil Suit or any other fresh proceeding, as may be advised, in accordance with law.

The Officer-in-charge, Duttapukur Police Station shall, however, ensure that there is absolutely no breach of peace in the area and shall comply with any specific order passed by the Civil Court on them.

With the aforesaid directions, the instant writ petition shall stand 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.)