

13.12.2022
Court No. 19
Item no.26
CP

WPA No. 22928 of 2022

Moni Mondal @ Monindra Mondal
@ Manoj Kumar Mondal & ors.
Vs.
The State of West Bengal & Ors.

Md. Golam Nure Imrohi

... for the petitioners.

The writ petition is misconceived.

The petitioners allege that the respondent nos. 13 and 14 with the encouragement of the Pradhan of Herampur Gram Panchayat, were trying to dispossess the petitioners from their land by proposing to construct a road. A prayer is being made for a direction upon the concerned gram panchayat to dispose of the representation filed by the petitioner with the allegation of the possible encroachment. The writ petition is premature and based on apprehension.

It is on record that a civil suit was filed by the petitioners before the learned Civil Judge (Junior Division) at Lalbag against the respondent Nos. 13 and 14.

It also appears that an interim order of status quo with regard to the property in question, had been passed by the learned civil court. The civil court further directed that nothing should be done on the

suit plot which would change the nature and character of the same. The suit plot has been classified as 'Aush'.

Under such circumstances, this court does not find any reason to interfere.

If the petitioners are aggrieved by any violation of the order passed in the suit, steps may be taken in accordance with law before the concerned civil court.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)