

09.11.2022
Court No.13
Item No.35
AP

WPA 8683 of 2020

**Shyamalendu Mandal
Vs.
The State of West Bengal & Ors.**

Mr. Tanmay Chowdhury
... For the Petitioner.

Mr. Sk. Md. Galib
... For the State.

Mr. Sounak Bhattacharya
Mr. Sounak Mandal
... For the Respondent No.6.

The petitioner is aggrieved by the fact that the private respondent is effecting construction and encroaching upon his property.

Counsel for the private respondent submits that there are preemption proceedings filed by the petitioner in which interim injunction was applied for and refused. An appeal has been preferred before the concerned District Judge against the refusal of such injunction and the same is pending. The appeal court also has not ordered any interim injunction.

The police, therefore, have absolutely no role to play whatsoever in a private dispute between the petitioner and the private respondent.

Hence, the writ petition is dismissed.

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.)