

**High Court at Calcutta
In The Circuit Bench At Jalpaiguri
Appellate Side**

WPA 2685 OF 2022

04.11.2022

Sl no. 8
Ct no. 2
P.M.

**Mr. Hemant Gupta
- Vs -
the Addl. Chief Secretary & Ors.**

Mr. Pratap Khati,
Ms. B. Rai
... for the petitioner
Mr. Deborshi Dhar,
Mr. Somraj Paul
... for private respondent

Mr. Bikramaditya Ghosh,
Mr. Pretom Das
.... For the State
Mr. Supriya Singh,
... for respondent No. 2 and 3

Heard learned advocates appearing for the parties.

It is submitted by learned advocate appearing for the respective state respondents that against the same cause of action respondent has already initiated a civil suit and the nature of dispute involves serious disputed question of facts and matters of evidence and this Court in exercise of constitutional writ jurisdiction cannot go in such highly disputed fact retarding the ownership, possession and titles of the parties and accordingly this writ petitioner being WPA 2685 of 2022 is dismissed.

However, dismissal of this writ petition will not be a bar for the petitioner to approach the appropriate forum in accordance with law for redressal of the grievance raised in this writ petition.

(Md. Nizamuddin, J.)