

13.04.2023
Item No.7
Ct. No.1
PG/KS

M.A.T.223 of 2023
With
I.A. No. CAN 1 of 2023

Rasidul Alam & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Subhabrata Datta
Mr. Debashis Sarkar
.....For the State

1. This appeal by the appellants/writ petitioners is directed against the order dated 3rd January, 2023 in W.P.A. No.23826 of 2022. The writ petition was filed alleging that the private respondents are forcibly occupying the appellants' property and they have looted the goods and articles and have also broken down the construction put up by the appellants.
2. The Officer-in-Charge of the Raiganj Police Station had submitted written instructions dated 14th November, 2022 through the learned State advocate.
3. The learned Writ Court after perusal of the report held that the case, as projected by the appellants

is unbelievable. In any event, in our view, the dispute being purely civil in nature, it is but appropriate for the appellants first to approach the Civil Court or any other competent forum to establish their rights and thereafter proceed in accordance with law.

4. Thus, we find no good ground to interfere with the order passed by the learned Single Bench.
5. Accordingly, the appeal as well as the connected application are dismissed.
6. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S. SIVAGNANAM)
ACTING CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)