

06.06.2023.
Court No.13
Item No. 27
pk

W.P.A. No. 5205 of 2023

**Sikha Sarkar & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Saunak Bhattacharya,
Mr. Saunak Mondal.

...For the petitioners.

Mrs. Chamma Mukherjee,
Mr. Srikanta Paul.

...For the State.

1. The petitioners claim that the private respondents have illegally encroached upon their properties. Admittedly, there is a civil suit filed by the petitioners being T. S. No. 163 of 2009 which is decreed by the Civil Judge (Junior Division), First Court at Baruipur.
2. An appeal carried therefrom has confirmed the order of the first Court. The matter is pending in second appeal before this Court being S. A. No. 19 of 2022 and was admitted on 13.04.2022.
3. This Court is of the view that no relief can be granted to the petitioners since the civil proceeding is pending between the parties.
4. The parties may seek appropriate relief from the pending civil proceedings.
5. The writ petition is disposed of.
6. There will be no order as to costs.

7. 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.)