

03.04.2023.

Court No.13

Item No. 386

pk

W.P.A. No. 6350 of 2022

Mansur Gayen and others

Versus

State of West Bengal & Ors.

Mr. Animesh Mukherjee,

Md. Ali Ahasan

...for the petitioners.

Mr. Amal Kumar Sen

... for the State.

Mr. Anirban Mitra,

Mr. Amit Halder,

Md. Wasim Akram,

Mr. Amit Roy

... for the respondent nos. 8, 9, 10, 11 and
13.

The writ petitioners complain that the private respondents are disturbing possession of their property despite an order of LRTT directing the BL & LRO to look into the rights of the petitioners vis a vis the private respondents. The BL&LRO has found against the private respondents. An appeal against the said order is pending before the learned ADMLRO.

The petitioners have also filed a civil suit being T. S. No. 88 of 2022 before the learned Civil Judge (Junior Division), Second Court at Basirhat. The said suit has been dismissed for default.

In view of the above, this Court is of the view the civil and statutory remedies may be pursued by the parties in respect of the rights arising out of such property-in-question.

The Police shall, however, ensure that there is no breach of peace in the area.

The writ petition is disposed of.

There will be no order as to costs.

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.)