

09.02.2023.
Court No.13
Item No. 15
ap

W.P.A. No. 7176 of 2022
Sk. Idrish
Versus
The State of West Bengal & Ors.

Mr. Bhaskar Chandra Manna.
...For the petitioner.

Affidavit-of-service filed in Court today be taken
on record.

The petitioner complains that the private respondents are obstructing construction of a premises on his land. The petitioner has approached the Civil Court by way of Title Suit No. 141 of 2020 against the private respondents. Initially injunction was passed restraining both the parties from in any way changing the nature and character of the suit property.

It is submitted that the injunction has been vacated later.

The petitioner has approached the Contai Police Station, Purba Medinipur for assistance to complete construction.

This Court is of the view that since the issue with regard to the land in question is pending before the Civil Court, the petitioner may approach such Civil Court for any remedies in respect of his property.

If the petitioner files any application in this regard, the Court below shall after giving due hearing

to all the parties, pass appropriate orders in accordance with law.

The report of the Inspector-in-charge, Contai Police Station dated 9th February, 2023 be taken on record.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

The petitioner shall communicate a copy of this order upon the private respondents.

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.)