

S/L 84
22.06.2023
Court. No. 29
Suwayan

**WPA 5603 of 2020
With
CAN 1 of 2020 (Old No. CAN 3356 of 2020)**

**Debasish Biswas & Ors.
Vs.
State of West Bengal & Ors.**

Mr. Dyutiman Banerjee

...for the petitioners.

Mr. Pantu Deb Roy

Mr. Pannalal Bandopadhyay

...for the State.

1. Both the writ petitioners and the State/respondent are represented by their respective learned Advocates.
2. It reveals that one interim application being CAN 1 of 2020 (Old No. CAN 3356 of 2020) is yet to be disposed of.
3. In his usual fairness, Mr. Banerjee, learned Advocate for the writ petitioners submits before this Court that the aforesaid interim application being CAN 1 of 2020 (Old No. CAN 3356 of 2020) has practically become infructuous and accordingly he intends to not press the said application.
4. Accordingly, the interim application being CAN 1 of 2020 (Old No. CAN 3356 of 2020) is dismissed as infructuous.
5. At this stage, as per request of the learned Advocate for the parties the instant writ petition is now taken up for hearing.

6. Heard learned Advocate for writ petitioners and the learned Advocate for the State/respondents at length.
7. By filing the instant writ petition, the writ petitioners have basically prayed for issuance of writ of mandamus upon the respondents/State to consider their grievance which has been submitted in writing before the BLRO, Bangaon, North 24 Parganas whereby and whereunder they have prayed for patta in respect of Plot No. 1761 in Mouja 125 under Gram Panchayat, Akaipur, District – North 24 Parganas with a further prayer for issuance of mandamus directing the respondent authorities to take steps against the private respondents who are allegedly making an attempt to encroach and convert the land, particulars of which have been given in Page 10 under prayer B of the instant writ petition.
8. On perusal of the entire materials as placed before this Court and after hearing the learned Advocates for both the sides it appears to this Court that the writ petitioners have chosen a wrong forum to ventilate his grievance.
9. In view of such, this Court holds that the instant writ petition is not maintainable in its present form and accordingly the instant writ petition being WPA 5603 of 2020 is dismissed with a liberty to the writ petitioners to approach proper forum to ventilate their grievance.

10. Parties to act on the server copies of this order.
11. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)