

01.09.2023
rc/ct.no.10
Item No.24

WPA No. 11804 of 2023
Sk. Mafibar
Versus
The State of West Bengal & Ors.

Mr. Dipanjan Dutta
Mr. Sayan Datta
Mrs. Tanusree Bag ...for the petitioner

Mr. Santanu Mitra
Mrs. Rama Halder ...for the State

Mr. Imtiaz Ahmed
Mrs. Ghazala Firdaus
Mr. Mofakkerul Islam
Mr. Sk. Saidullah
Mr. Mithun Mondal
Mr. Md. Arsalan
...for the respondents no. 4,5,7,8,9,10&11

Affidavit of service filed by the petitioner is taken on record.

The petitioner has filed a title suit being TS No. 179 of 2022 before the learned Civil Judge, Junior Division, Second Court, Uluberia, Howrah praying for a decree for declaration and permanent injunction. The issues in the title suit are identical to that of the writ petition. The suit is still pending.

The petitioner submits that he does not intend to the proceed with the writ petition any further.

In view of the above, the writ petition being WPA No. 11804 of 2023 is dismissed for non-prosecution.

There shall, however, be no order as to costs.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)