

26.06.2023
Item No.7
gd/ssd

WPA(P)/277/2023
SRAMALAKSHMI COLONY KRISHAK
KALYAN SAMITY
VS
STATE OF WEST BENGAL AND ORS.

Md. Younush Mondal
..for the Petitioner.

Mr. S.N. Mookherjee, learned Advocate General,
Md. T.M. Siddiqui
..for the State.

Mr. Manoranjan Mahata
..for the Respondent No.7.

1. The petitioner is a society and has filed this writ petition as a public interest litigation seeking for certain protection of the local people who are alleged to have been cultivating in the land in question.

2. Admittedly, the members of the society have approached the civil court and a Title Suit being T.S. No.785 of 2019 is pending before the 1st Civil Judge (Senior Division) at Barasat.

3. The defendant no.8, namely, The Basin Manager, Oil & National Gas Corporation has filed his written objection.

4. Apart from we find from the plaint that all the other defendants are official defendants who are the respondents in this writ petition.

5. It is pointed out by the learned Advocate General that in the said suit there is no interim order.

6. If, according to the petitioner/association, its members have to be treated as land-losers and they have to be adequate compensation and first to establish their title and rightly for such reason they have approached the civil court.

7. Therefore, at this juncture, we cannot entertain this public interest litigation.

8. Accordingly, the same stands rejected.

9. However, this will not prejudice the petitioner from raising all contentions in the pending title suit.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(AJAY KUMAR GUPTA, J.)