

18.10.2023
Item No.22
gd/ssd

MAT/1244/2023
CAN/1/2023, CAN/2/2023
PROBODH RAUL
VS
PRODYUT JANA AND ORS.

Ms. Priyanka Mondal
..for the Appellant.

Mr. Rajdeep Bhattacharya,
Mr. Sanjib Shankar Mazumdar,
Mr. Debashis Banerjee
..for the Respondent No.1.

1. This intra court appeal by the writ petitioner is directed against the order passed on 15th May, 2023 in WPA 24657 of 2022.

2. The appellant appears to be aggrieved by the observations made in paragraph 3 of the impugned order by which the learned Single Bench directed the Officer-in-Charge, Raidighi Police Station to ensure that the private respondents shall not disturb the petitioner's possession subject to any order that may be passed by the civil court.

3. In the proceedings that are pending before the civil court, any of the parties if aggrieved by any attempt for forceful dispossession or otherwise, can approach the concerned civil court for necessary relief and for which no such observation is required to be made in a writ petition.

4. The learned advocate appearing for the respondent/writ petitioner submits that his client is in possession of the property and the appeal is pending before the civil court and in the appeal there is no interim order.

5. With the above observations, the appeal is disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)