

16-03-2023

ct no. 13

sl. 5

sp

WPA 23107 of 2022

Ashrukana Das

-Versus-

The State of West Bengal & Ors.

Mr. Avik Ghatak,
Ms. Afreen Begam

...for the petitioner

Mr. Amitesh Banerjee, Id. Sr. St. Counsel,
Ms. Ipsita Banerjee

...for the State

Mr. Samir Ranjan Aich

....for the private respondents

The private respondents are represented.

Ms. Ipsita Banerjee, learned counsel appearing for the State submits that the private have removed dog breeding facilities from the ground floor of the said premises.

The first floor of the property is in the possession of the petitioner.

The petitioner complains that she does not have possession of the ground floor or access to the kitchen and toilet of the first floor.

The private respondents submit that they have absolutely no objection to the petitioner using the

kitchen and toilet on the first floor. The petitioner may do so.

In so far as the ground floor is concerned, the private respondents submit that they are the co-sharers in the property and have right in respect thereof.

The petitioner submits that she has constructed the entire home. These are not matters that can be gone into before the Writ Court.

The petitioner may apply before the Civil Court for adjudication of any other civil right in respect of the property.

The private respondents undertake not to disturb the petitioner.

With the aforesaid observations, W.P.A. 23107 of 2022 shall stand disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)