

November 30, 2023
AD 25
Court No.14
SG

WPA 23165 of 2023

Dulal Mondal
vs.
The State of West Bengal and others

Mr. Sarbananda Sanyal
Ms. Poulami Chakraborty
... for the petitioner
Ms. Jhuma Chakraborty
Mr. Suddhadev Adak
... for the State
Ms. Anandamani Ghosh
... for the respondent No.5

Learned advocate for the petitioner alleges that he has substantial interest in the property in question being the owner of a portion. In spite of this, the private respondent filed a civil suit by not making the petitioner a party and obtained an order of injunction. By practising the same fraudulent exercise the private respondent obtained orders from this Court. So far as WPA 26314 of 2022 is concerned, again the petitioner was not made a party, but the petitioner's sons were made parties. Liberty was granted to the petitioner to take appropriate steps. The petitioner intends to challenge the said order after obtaining reliefs.

Learned advocate for the State submits that the police are keeping a sharp vigil at the locale.

Perused the report filed by the State.

Heard learned advocate for the private respondent.

This Court cannot sit in appeal over the earlier order of a Coordinate Bench of this Court.

Without any modification of the earlier order dated 12.05.2023 passed by this Court in WPA 26314 of 2022, the reliefs sought by the petitioner in the present writ petition cannot be granted.

Therefore, the petitioner shall be at liberty to take appropriate steps in this regard.

With these observations, the writ petition is disposed of, however, without any costs.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

[Jay Sengupta, J.]