

24.04.2023
Court No.13
Item No.13
pk

WPA 23402 of 2022

Sk. Fariduddin @ Pinto
Vs.
State of West Bengal and Ors.

Mr. S. Ray,
Mrs. Amrita Tewari,
Ms. Sonia Das

... For the Petitioner.

Md. Galib

... For the State.

Md. Farhaduddin,
Mr. Rahul Varma

... For the respondent no. 7.

Md. Salahuddin,
Md. A. Zaman

... For the Board of Auqaf.

1. The petitioner complains that the private respondents are effecting constructions on the auqaf property.
2. Since the petitioner has an effective alternative remedy under the Auqaf Act, 1995 and before the authorities thereunder, the writ petition cannot be entertained. The police have absolutely no role to play in the matter unless there are specific directions by the authorities under the Act.
3. In that view of the matter, reserving the liberty, to the petitioner, to approach an appropriate Civil or statutory authority as specified above, the writ petition is disposed of.
4. Since no affidavit have been called for by this Court, the allegations in the writ petition shall not

be deemed to have been admitted by the respondents.

5. There will be no order as to costs.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)