27-02-2023
ct no. 13
Sl.23
sp

WPA 24158 of 2022
Ashish Mondal
-Versus-
The State of West Bengal & Ors.

Mr. Tanmoy Basu,
Mr. Dip Kayal,
Mr. Debdip Mondal,
Mr. Manoj Adak
....for the petitioner

Mr. Ajit Kumar Mishra
...for the private respondents

Affidavit of service filed in Court today is taken on record.

The petitioner claims that the private respondents who belong to a political party have encroached upon a portion of the land and have effected construction thereat. It is also submitted that the petitioner is being prevented from entering into his land.

Counsel for the private respondents submits that their predecessors-in-interest had entered into an agreement of sale with the predecessors-in-interest of the petitioner and had occupied a portion of the property.

The petitioner, according to the counsel for the private respondents, purchased the property from only one of the legal heirs of the predecessors-in-interest of the private respondents.

This Court is of the view that the dispute between the petitioner and the private respondents is purely civil in nature and may be agitated before an appropriate civil or statutory forum.

The Officer-in-Charge, Sagar Police Station, South 24 Parganas shall, however, ensure that there is absolutely no breach of peace in the area.

With the aforesaid directions, the instant writ petition 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.)