

13-04-2023
ct no. 13
Sl.28
pk

WPA 24795 of 2022

Md. Karibulla Molla

-Versus-

The State of West Bengal & Ors.

Mr. Bidyut Kr. Halder,
Mr. Indranil Halder,
Ms. Srabanti Das,
Ms. Neha Singh

....for the petitioner

Ms. Chama Mookherjee,
Ms. Paramita Pal

...for the State

Mr. Tanmay Chowdhury,
Ms. Ritoprita Ghosh

...for the respondent no.4

The petitioner complains that the private respondents are encroaching upon his land and disturbing peaceful possession of his property.

The private respondents are represented.

Counsel for the private respondents submits that the petitioner has sold the land to the third parties and has no locus to maintain the writ petition.

A pre-emption suit filed by the petitioner has been dismissed. The private respondents have also filed a civil suit being T.S. No. 733 of 2022 which is pending before the learned Civil Judge (Junior Division), 1st Court, Baruipur, South 24 Parganas.

This Court is of the view that the dispute between the petitioner and the private respondents is purely civil in nature and the locus of the petitioner is doubtful.

Hence, no relief can be granted to the petitioner.

With the aforesaid observations, 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.)