

WPA 24561 of 2023

***Chandannagar Bhabani Sen Pally Unnayan
Committee & Anr.***

Vs.

The State of West Bengal & Ors.

Mr. Sabyasachi Chatterjee
Mr. Sandipan Das
Mr. Badrul Karim
Ms. Indrani Ray
Mr. Ankan Das

... for the petitioners

Mr. Nabhajit Prasad Basu
Md. Ziaum Rahaman

... for the State

Affidavit-of-Service filed by the petitioner is taken on record.

Report filed on behalf of the State is taken on record and a copy of the same is handed over to learned advocate for the petitioner.

Learned Counsel appearing on behalf of the petitioners submits as follows. The petitioners have been holding Jagadhatri Puja at the land in question for the last 5/6 years. Only last year an objection was raised by the police authorities. A prayer was made thereafter before this Court for permission. But the writ petition being WPA 23387 of 2022 was withdrawn with liberty to make a representation before the respondent authorities. However, the permission was finally not granted. Only a Kathama Puja had to be

done. There are several suits pending over the ownership and possession of the land in question. However, none of the claimants could prove their right over the land as yet. There is another club whose name is recorded as having possession of the property. However, the actual possession of the property is with the present petitioner.

Learned Counsel appearing on behalf of the State submits as follows. There are litigations pending over the property in question. A Title Suit was filed and the same is pending. However, the petitioner could not satisfy the respondent authorities about their rights to hold Puja on the land in question.

It appears from the record of rights that the piece of land is purportedly in possession of one Young Men Cultural Association, who is not the petitioner herein. There are several suits pending between the parties over the rights in respect of the said land. The same are yet to be decided.

I do not find any material to show that the petitioner has a right to hold the Puja at the said property in question.

Since the petitioner is a party in the civil suit, he shall have to pray for appropriate relief before that Court.

Therefore, I find no merit in the writ petition. According, the same is disposed of, however, without any cost.

Parties shall act on the server copy of the order downloaded from the official website of the Calcutta High Court.

(Jay Sengupta, J)