

25.01.2023
Court No.13
Item No.43
AP

**WPA 25749 of 2022
With
IA NO: CAN 1 of 2022**

**Ranjan Kumar Barman
Vs.
The State of West Bengal and Ors.**

Mr. Birendra Kumar Jha

... For the Petitioner.

The petitioner seeks enforcement of an order passed by the Executive Magistrate, Barackpore, North 24-Parganas dated 4th November, 2022 directing the respondents not to illegally disturb or encroach the subject property.

It appears that the writ petitioner is guilty of suppression of material facts. The private respondent Nos.9 and 10 have filed an interim application being CAN 1 of 2022 which is on record. They are not represented before this Court today.

It appears from the said CAN 1 of 2022 that Title Suit No.230 of 2020 is pending between the petitioner and the private respondents before the Civil Judge (Junior Division), Bidhannagar. It further appears that in respect of an order passed in the said civil suit, the writ petitioner has filed CO No.3502 of 2022 before this Court. The aforesaid facts have been suppressed and have not been brought to the notice of this Court.

In view of the above, the writ petition shall stand dismissed with costs assessed at Rs.5,100/- payable by the writ petitioner to the High Court Legal Services Authority.

In view of the dismissal of the main writ petition, connected application being CAN 1 of 2022 shall also stand disposed of.

Let a copy of this order be made part of the records of the CO No.3502 of 2022 and be sent to the presiding Judge. Registry shall serve a copy of this order on the respondent Nos.9 and 10.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)