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29.03.2023
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 26814 of 2022

**Debabrata Datta
-versus
The State of West Bengal & Ors.**

**Mr. Sandipan Banerjee,
Ms. Utsa Dutta,
Ms. Puja Banerjee,
Ms. Kalpita Paul.
...For the Petitioner.**

**Mr. Tarak Nath Halder.
...For the Respondent No.6.**

**Mr. Rama Prasad Sarkar,
Ms. Debarati Sen Bose.
...For the State.**

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

The petitioner is aggrieved by the order passed by the Executive Officer, Khardah Municipality on 15th October, 2022.

The Municipality heard the parties and both the parties submitted lots of documents in support of their respective stand. On going through all the documents and records submitted by the parties and the orders of different Courts, the Municipality opined that there are points of law involved which the Municipality will not be in a position to decide.

The parties have been requested to take shelter of the appropriate forum.

From the submissions made on behalf of both the parties, it appears that there are issues with regard to title of the properties. The Municipality will not be the appropriate forum to decide the issue.

The parties will be at liberty to approach the competent civil court for redressal of their grievances. The impugned order is not interfered with.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)