

17-04-2023

ct no. 13

sl. 55

sp

WPA 29041 of 2022

Kashinath Jana

-Versus-

The State of West Bengal & Ors.

Mrs. Ujani Pal (Samanta)

...for the petitioner

Mr. Subhabrata Datta,
Mr. Banibrata Datta

...for the State

1. The petitioner claims assistance in effecting construction over a property over which the private respondents have filed two civil suits.

2. T.S. 92 of 2020 filed before the Civil Judge (Jr. Division), 1st Court, Arambagh has been dismissed for default. It is not known whether the application has been made for restoration.

3. Counsel for the State also submits that the private respondents have filed another civil suit being T.S. No. 53 of 2022, which is since pending. There is a dispute with regard to the demarcation of the property of the petitioner vis-à-vis the private respondents.

4. In that view of the matter, the petitioner may seek appropriate civil remedies with regard to the enforcement of any right against the private respondents.

5. The Khanakul Police Station shall, however, ensure that there is absolutely no breach of peace in the

area and strictly comply with any order that may be passed by the Civil Court.

6. With the aforesaid observations, the instant writ petition shall stand disposed of.

7 There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)