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04.08.2023
Ct. No.2
b.das

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

WPA No. 1491 of 2023

**Vinay Kumar
Vs.
The State of W.B. & Ors.**

Mr. Sakya Sen
Mr. Arik Banerjee
Mr. Joyjit Dutta
Mr. Momenur Rahman
Mr. Bikash Singha ...for the petitioner.

Mr. Joyjit Choudhury, Ld. AAG.
Mr. Subir Kr. Saha
Ms. B. Bose ...for State.

Mr. Soumyajyoti Dutta
Mr. Gopal Sah ...for respondent Nos.6 & 8.

Affidavit of service filed by the petitioner is taken on record.

None appears for the private respondents except respondent Nos.6 & 8.

The petitioner prays for issuance of writ in the nature of mandamus commanding the respondent authorities not to prevent the petitioner from entering into the property in question which has been purchased by the petitioner by virtue of a registered deed of conveyance dated 13th January, 2023 and to take necessary steps to protect the right of the petitioner with regard to the ingress and egress into and from the property.

It is not in dispute that a civil suit has been filed by the petitioner against the private respondents in respect of the selfsame property as in the writ petition seeking a decree for eviction of the private respondents therefrom and recovery of khas possession.

It is further admitted that an order of status quo has been passed by the civil court in respect of the nature, character and possession of the property.

In view of the above, learned counsel for the petitioner seeks to withdraw the writ petition. Accordingly, the writ petition being WPA 1491 of 2023 is dismissed for non-prosecution.

There shall, however, be no order as to costs.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)