

**IN THE HIGH COURT OF JUDICATURE AT CALCUTTA  
CIVIL APPELLATE JURISDICTION  
APPELLATE SIDE**

HEARD ON: 10.06.2024  
DELIVERED ON: 10.06.2024

**CORAM:  
THE HON'BLE MR. CHIEF JUSTICE T.S. SIVAGNANAM  
AND  
THE HON'BLE MR. JUSTICE HIRANMAY BHATTACHARYYA**

**F.M.A. 32 of 2024  
With  
IA No. CAN 1 of 2023**

**Sri Mrityunjoy Samanta & Anr.  
Vs.  
The State of West Bengal & Ors.**

**Appearance:-**

**Mr. Arka Bhattacharya**

**.....for the appellants**

**Mr. Sk. Md. Galib**

**Mr. Abu Siddique Mallik**

**.....for the State**

**Ms. Payel Hossain**

**.....for the respondent no.6**

**JUDGMENT**

***(Judgment of the Court was delivered by T.S. SIVAGNANAM, C.J.)***

1. We have heard the learned advocates for the parties.
2. As could be seen from the impugned order and the annexure to the stay petition, the dispute between the parties is purely civil in nature. The parties are already before the civil court and Title Suit No.156 of 2021 is pending.
3. Therefore, the learned Single Bench was right in declining to grant any relief, as sought for, as it would result in multiplicity of proceedings.

4. However, considering the facts and circumstances of the case and the relationship of the parties, the cost of Rs.11,000/-, which was directed to be paid by the 2<sup>nd</sup> appellant to the Tamluk Police Station is deleted. Except for this, no other relief can be granted to the appellants in this appeal.
5. Accordingly, the appeal and the connected application (IA No: CAN 1 of 2023) stand dismissed subject to the deletion of the cost.
6. No costs.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

**(T.S. SIVAGNANAM)**  
**CHIEF JUSTICE**

I agree.

**(HIRANMAY BHATTACHARYYA, J.)**