

D/L 44
25.11.2024
Kausik
ct.no.35

W.P.A. 15659 of 2024

**Niranjan Pal
Versus
The State of West Bengal & Ors.**

Mr. Amitava Pain
Mr. Subhrangshu Datta

...for the petitioner.

Mr. Asish Kumar Guha
Mr. Rajendra Chaturvedi

...for the state.

Petitioner is aggrieved by the fact that his property being a shop room has been encroached by a person and petitioner is deprived of his property.

Petitioner, to that effect lodged complaint with the local police authorities who till date has not taken any action.

Learned advocate for the state has submitted a report. Report reflects that the person who is presently in occupation and is paying rent to the rent controller, has been running the business from the said location which is a Snacks/Sweet shop under the name and style "Satya's", after the death of his father (who used to run a barber shop).

The report also reflect that a civil suit is pending before the learned Civil Judge (Junior Division), 4th Court, Howrah.

In view of the report so submitted and the spirit of the application reflects that petitioner intends to use the police authorities for evicting the private respondent, I am of the view that the present writ petition is not maintainable.

Accordingly, WPA 15659 of 2024 is dismissed.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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

(Tirthankar Ghosh, J.)