

07
29.02.2024
d.p.

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

W.P.A 15103 of 2022

**Pradip Kumar Chandra & Anr.
-versus
The State of West Bengal & Ors.**

**Mr. Shyamal Kumar Pandey,
Mr. Somnath Gangyopadhyay.
...For the Petitioners.**

**Mr. Supratim Dhar,
Mr. Amritlal Chatterjee.
...For the State.**

**Mr. Achintya Kumar Banerjee,
Ms. Indumouli Banerjee.
...For the Municipality.**

Exception filed by the petitioner to the report of the District Magistrate is taken on record.

The petitioners in the instant writ petition has prayed for a direction upon the Board of Councillors of Bishnupur Municipality to demolish the unauthorized structure of the private respondents.

In course of hearing the writ petition it transpires that the construction in question was made in accordance with the 'House for All' scheme. The constructed started in the year 2015 and concluded in the year 2017. The fund was sanctioned by the government in the year 2017 for raising such construction.

Learned advocate appearing for the petitioners submits that the construction has been made over agricultural plot of land. It has been submitted that a title suit has been filed by the private respondent Tarapada Khetrapal before the Learned Civil Court seeking declaration of the right of Bargadar.

Upon hearing the submissions made on behalf of both the parties and upon perusal of the report filed by the District Magistrate, it appears that there are several civil disputes which are required to be adjudicated. The same cannot be adjudicated in the present writ petition. It will be open for the parties to approach the competent civil forum for necessary relief.

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.)