

25.09.2024
Sl. No. 69
g.b.
Court No.07

W.P.A. 21805 of 2024

Garia Mitali Sangha
-Vs-
The State of W. B. & Ors.

Mr. Tathagata Majumdar
Ms. Neha Chakraborty
.....For the Petitioner
Mr. Suman Sengupta
Mr. Pradyot Kr. Das
.....For the State
Mr. Ayan Banerjee
Mr. Abdul Musud
Mr. Gaurav Dutta
.....For the Respondents

The petitioner has filed this writ petition praying for a direction upon the respondent authorities to consider the representation of the petitioner dated August 13, 2024. In the said representation the petitioner has requested the Officer-in-charge, Bansdroni Police Station not to grant any permission for performing Durga Puja by constructing pandels etc. since a civil suit is pending between the petitioner and the private party in respect of the property wherein the private party has started constructing the pandel for performing Durga Puja.

it is not in dispute that a Suit being Title Suit No. 619 of 2024 is pending before the learned Civil Judge (Jr. Division), 4th Court, Alipore.

Learned advocate for the petitioner submits that an application under Section 151 of the Code of Civil Procedure has been filed in the said suit praying for an order restraining the private respondent herein from performing the Durga Puja in the said property.

Since the civil court is in seisin over the matter, this court is not inclined to entertain the writ petition.

The petitioner will be at liberty to approach the Civil Court for appropriate reliefs.

With the above observation, the writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties after completion of all necessary formalities.

(Hiranmay Bhattacharyya, J.)