

D/L. 68.
September 26, 2024.
MNS.

WPA No. 22052 of 2024

Sri Prasenjit Biswas
Vs.
The State of West Bengal and others

Mr. Arnab Roy,
Ms. Debasmita Dutta

... for the petitioner.

Mr. Vimal Kumar Shahi,
Ms. Sangeeta Ray

...for the State.

Mr. Satyam Mukherjee,
Mr. Purnendu Shekhar Ghosh

...for the respondent no. 5.

Affidavit-of-service filed in Court today is
taken on record.

The petitioner has prayed for an order
directing the police authorities to see that the
private respondents do not create any obstruction
in the repairing work, which is carried on by the
petitioner at Plot No. 321 within Mouza- Gaipur, J.
L. No. 162 and Holding No.9/20/66/1 under Police
Station- Gobardanga in the District of North 24-
Parganas.

It is not in dispute that a title suit, being
Title Suit No. 537 of 2019 is pending before the
learned Civil Judge (Senior Division), 1st Court at
Barasat, between the private parties. An ad
interim order of injunction was also passed in the
said suit on July 26, 2019, thereby restraining the

defendant, i.e. the writ petitioner herein from being dispossessed from the suit property without due process of law.

Since the civil court is in *seisin* over the *inter se* disputes between the private parties relating to an immovable property, this court is not inclined to grant any relief to the petitioner. The writ petition is disposed of by giving liberty to the petitioner to approach the civil court where Title Suit No. 537 of 2019 is pending for appropriate reliefs in case the petitioner faces any obstruction with regard to the repairing work.

There will be no order as to costs.

Photostat certified copy of this order, if applied for, be given to the parties.

(Hiranmay Bhattacharyya, J.)