

03.10.2024
Court No.09
Item no.06
CP

WPA No. 22220 of 2024

Indrajit Chakraborty
Vs.
The State of West Bengal & ors.

Mr. Indranil Nandi
Mr. S. Datta
Mr. Sayak Konar
....for the petitioner.

Md. Mokaram Hossain
.....for the State.

Mr. Saikat Chatterjee
Mr. Nisan Dey
.....for the respondent nos. 8 to 15.

The petitioner has challenged the action of the State authorities in granting the permission to the club to hold the Durga Puja for the year 2024, on the ground that the order of injunction in respect of 'A' and 'B' Schedule property in Title Suit No. 1379 of 2023 was subsisting and no puja could be held within the said lands.

The police authorities have filed a report from which it appears that permission to hold the Durga Puja has been granted for the old site, in which the puja was permitted by the learned District Judge, Alipore, last year. The said report is taken on record.

The specific contention of the learned advocate for the club is that the old site where the puja was permitted last year was outside the suit properties 'A'

and 'B'. It is their specific case that land comprising of schedule 'A' and 'B' would not be encroached upon.

Under such circumstances, the writ court cannot delve deeper into the factual aspects to ascertain the identity of the plots in respect of which such permission was granted. If the petitioner is aggrieved by the steps taken by the club which are in violation of the order of injunction, the remedy of the petitioner would be before the appropriate court which had passed the order of injunction.

Accordingly, the writ petition is disposed of.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)