

09.09.2024
Sl. No.125
Ct. No.15
S.A.

WPA 22700 of 2024

Nakul Mondal & Ors.

-vs-

State of West Bengal & Ors.

Mr. Md. Sarwar Jahan

Mr. Omar Faruk Gazi

Ms. Tapati Sarkar

...for the petitioners

Mr. Soumitra Bandyopadhyay

Ms. Suchana Banerjee

...for the State

The petitioners claim their ownership of plot no.224 under Mouza-Krishnaganj, J. L. No.-132, District-Malda.

The petitioners submit that in denial of their ownership, the respondents are trying to forcefully possess the said property for a project to be undertaken by the Public Health Engineering Department, West Bengal.

Learned advocate appearing for the State has rightly pointed out that the petitioners have already approached the competent Civil Court for declaring their right, title and interest over, inter alia, plot no.224, Mouza-Krishnaganj, J. L. No.-132, District-Malda by filing a suit.

It appears that in the said O.C. Suit No. 04 of 2024 is pending before the Civil Judge (Junior Division), Chanchal. The relevant departments of the State have been made parties to the suit. An

injunction application filed in connection with the said suit filed by the petitioners is pending for consideration by the learned Judge.

I am of the view that since the petitioners have approached the competent Civil Court for declaration of their right, title and interest over the relevant property, this Court, at this juncture, should not pass any order in this writ petition.

Needless to mention that the petitioners are at liberty to approach the Civil Court seeking the appropriate relief.

Accordingly, **WPA 22700 of 2024** is dismissed.

Urgent certified photocopy of this order, if applied for, be supplied to the parties on compliance of usual legal formalities.

(Kausik Chanda, J.)