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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 23098 of 2024

Smt. Dipti Mukherjee
Vs.
The State of West Bengal & Ors.

Mr. Debasis Kar
...for the petitioner

Mr. Rajarshi Basu,
Mr. K.M. Hossain
...for the State

Mr. Samim Ahammed,
Ms. Oindrila Ghosal
...for the respondent no. 4

Affidavit of service filed today is taken on record.

The petitioner alleges that the private respondent has taken forcible possession of the property of the petitioner. The petitioner claims to have entered into an agreement for sale with the private respondent no. 4. The petitioner claims that only a sum of Rs.10,000/- was paid by the private respondent as earnest money. The petitioner states that the private respondent herein has not taken any steps for execution and registration of the deed of conveyance.

It is not in dispute that a suit, being Title Suit No. 208 of 2000 is pending before the civil court of

competent jurisdiction. The dispute between the petitioner and the private respondent arose out of an agreement for sale pertaining to an immovable property. Such dispute cannot be decided in a writ petition.

Since the petitioner has already approached the civil court, it will be open to the petitioner to pray for appropriate reliefs in the said suit.

With the above observations and directions, this writ petition stands disposed of.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Hiranmay Bhattacharyya, J.)