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05.11.2024
Bpg.
ct.no.35

W.P.A.24048 of 2024

**Radharani Manna
Versus
The State of West Bengal & Ors.**

Mr. Abhijit Sarkar.
...for the petitioner.

Mr. K.K. Pathak
Mr. Souvik Maji.
...for the respondent no.4.

Affidavit-of-service so filed by the petitioner
be kept with the record.

Petitioner complains that he has paid full
consideration money yet the private respondent no.4
did not transfer whole of the property and only a part
of the property has been transferred in her favour.

The factual circumstances reveal that the
dispute arose pursuant to an alleged agreement
entered by and between the parties. Even if the
accusations of the petitioner are accepted to be true,
there has been part compliance and part non-
compliance. In the circumstances, the admitted facts
of the case do not reveal any prima facie offence to
have been committed. Petitioner has her remedy
before the civil court for enforcing the terms of the
agreement, if any.

Learned advocate for the private respondent no.4 denies and disputes each and every allegations made in the writ petition.

Accordingly, the petitioner would be at liberty to approach the appropriate jurisdictional civil court for enforcing her remedies. No interference is called for by this Court by way of invoking its jurisdiction under Article 226 of the Constitution of India.

With the aforesaid observations, WPA 24048 of 2024 is disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)