

D/L 17
05.11.2024
Kausik
ct.no.35

W.P.A. 25665 of 2024

Md. Alamgir Siddik
Versus
The State of West Bengal and Ors.

Mr. Soumen Kr. Dutta
Mr. Sk. Sayan Uddin
...for the petitioner.

Mr. Amitesh Banerjee
...for the senior standing counsel.

Mr. Akash Dutta
...for the State.

Petitioner claims that he is being wrongfully obstructed from constructing his property although he has got a sanctioned plan.

Mr. Banerjee learned senior standing counsel appears on behalf of the state and draws the attention of this court to T.S. 229 of 2024 wherein the learned Civil Judge (Junior Division) 1st Court, Contai was pleased to direct for maintaining status quo in respect of nature and character of the 'ka' schedule land. Although orally petitioner submits that he was not party to the suit, but it has been pointed on behalf of the state that petitioner himself in the writ petition has contended to be a defendant in the title suit.

Having considered that the petitioner claims that the schedule is not related to the place where he is constructing the property, in case any obstruction is created by referring to the order passed in T.S. 229 of 2024 appropriate application for clarification/modification be advanced before the learned Civil Judge (Junior Division) 1st Court, Contai or the appellate forum of the said civil court.

This court at this stage do not find any circumstances to interfere with the grievances complained by the petitioner and grants liberty to the petitioner to approach the appropriate civil court.

With the aforesaid observations WPA 25665 of 2024 is disposed of.

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

(Tirthankar Ghosh, J.)