

Sl.No.
19 06.11.2024
Court
No. 35
G.S.Das

WPA 25791 of 2024

Lalit Kumar Bose
-Vs-
The State of West Bengal & Ors.

Mr. Meghnath Dutta
Mr. Subhojit Mullick
... for the petitioner

Mr. Apalak Basu
Ms. Sanghamitra Mridha
... for the Respondent nos. 6

Mr. K. J. yusuf, Id.AGP
Mr. Parikashit Gowami
... for the State-respondent
Mr. Deepan Kr. Sarkar
Mr. Prithwish Roy Chowdhury
... for the respondent no. 5

Learned advocate for the petitioner

submits that a civil case is pending

between the parties.

The petitioner has already

approached the learned Executive

Magistrate and he apprehends

highhandedness at the hands of the

private respondents.

Learned advocate for the private

respondents disputes and denies the contentions advanced by the petitioner and submits that the petitioner has no *locus standi* in respect of the said property which has been preferred to in the writ petition.

Mr. Yusuf, learned Additional Government Pleader, has submitted a report. Let the same be kept with the record.

I have considered the submissions of the respective parties and, on an assessment of the same, I am of the view that so far as the right, title and interest of the parties are concerned, it is for the learned Civil Court to decide. This court will not enter into the domain.

As the petitioner has already approached the learned Executive Magistrate and a report has been submitted before the learned Executive

Magistrate, this court should refrain itself from passing any order so far as the merits of the writ petition is concerned.

However, the police authorities should keep a strict vigil and see to that no untoward incident takes place in respect of the subject matter of dispute.

With the aforesaid observations, WPA 25791 of 2024 is disposed of.

Affidavit of service so filed be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

