

08.07.2024
Sl.No.25
Ct. No.15
S.A.

WPA 25052 of 2023

Dilip Kumar Mondal

-vs-

The State of West Bengal & Ors.

Mr. S. Majumder
Ms. Puja Banerjee

...for the petitioner

Mr. Uttiya Roy
Mr. Asutosh Pal
Mr. Arnab Mandal

...for respondent nos.2 to 5

Mr. Amitava Bhattacharyya
Mr. Chandranath Chattopadhyay

...for respondent nos.7 & 8

It is the grievance of the petitioner that he is a co-sharer in respect of a property at plot no.410/773, Khatian no.4132 and 4133, J.L. no.97, Mouza – Makaranpur, District – Birbhum.

The petitioner alleges that there is a pending partition suit between the parties and an order of status quo has been passed in the suit.

Respondent nos.7 and 8 in violation of the said status quo order has raised an unauthorized construction in the said premises.

Respondent nos.7 and 8, on the other hand, produced a sanctioned plan before this Court to submit that the relevant construction has been made in terms of the said sanctioned plan.

The Municipality also submits that a plan was sanctioned in favour of respondent nos.7 and 8.

In that view of matter, I am not inclined to pass any order. I, however, grant liberty upon the petitioner to challenge the sanctioned plan and for consequential orders in the pending civil suit.

Accordingly, **WPA 25052 of 2023** is disposed of.

(Kausik Chanda, J.)