

D/L. 04.
December 03, 2024.
KAUSHIK.

WPA No. 28082 of 2024

**Golam Rasul Paik @ Golam Paik
Vs.
State of West Bengal and Others**

Mr. Gazi Faruque Hossain
Ms. Varsha Roy
... for the petitioner.

Mr. Sk Rejaul Alam
... for the respondent nos. 10 & 11.

Mr. Debjit Samanta
... for the State.

The grievance of the petitioner is directed against an illegal and unauthorized construction.

It is submitted on behalf of the petitioner that notwithstanding the report dated October 1, 2024, the respondent authorities have failed to take any steps in the matter.

The private respondent is represented and submits that there is a gross suppression in the filing of this writ petition and the petitioner has suppressed the civil suit pending between the parties.

The State is represented and submits that the concerned Block Development Officer (BDO) has informed the Pradhan to take necessary steps.

The Pradhan is also represented and submits that the subject premises is an old

dilapidated building and there is no construction of any kind whatsoever. Moreover, there is a civil suit pending between the parties and the disputes are purely civil in nature.

In view of pendency of the civil suits between the private parties, there is no scope of passing any order in this writ petition. The disputes raised by the petitioner are private civil disputes and cannot be adjudicated in a summary proceeding of this nature.

WPA 28082 of 2024 stands dismissed on the ground of maintainability.

Liberty is granted to the petitioner to file an appropriate application in the pending civil suit seeking the self-same relief in accordance with law.

(Ravi Krishan Kapur, J.)