

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction

45 05.4.2024
Sc Ct. no.2

WPA 259 OF 2024

Hemanta Das
Vs.
The State of West Bengal & Ors.

Mr. Nabankur Paul
Mr. Abhishek Sarkar.
....For the Petitioner

Mr. Hirak Barman
Mr. Bikash Singha.
....For the Respondent
State

Two affidavits-of-service, filed in Court today,
are taken on record.

This writ petition relates to a rivalry relating
to the rival claims on title of a particular land.

The petitioner has already instituted
necessary title suit before the jurisdictional civil
Court where the same is pending. The petitioner
has also lodged a criminal complaint before the
jurisdictional police authority.

The petitioner through this writ petition
claims that, in an alleged land acquisition
proceeding relates to the same land, the
compensation shall not be disbursed until the title
dispute is resolved.

Upon considering the submissions made on behalf of the parties and on perusal of the materials on record, this Court is of the considered and firm view that, this is purely a civil dispute relating to the title of a land. This constitutional Court in exercise of its jurisdiction under Article 226 of the Constitution of India shall not interfere in it. Accordingly, no interference is called for through this writ petition.

WPA 259 of 2024 stands ***dismissed***, without any order as to costs.

However, this order shall not have any bearing in the adjudication of the pending title suit or on the adjudication of the criminal trial, if any, commences.

(Aniruddha Roy, J.)