

26.11.2024
SL. 15, Ct.2
AJ.

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

WPA 2436 of 2024

**Smt. Phulgencia Toppo
-Vs-
The State of West Bengal & Ors.**

Mr. Rajat Das.
...for the petitioner.
Ms. Bedashruti Bose,
Mr. Sumit Kumar,
...for the State.
Mr. Subham Ghosh,
Mr. Mayank Roy.
...for the Private Respondents.

The petitioner is alleging that though she has a valid sanction plan from the concerned municipality, but is unable to put up the construction over her purchased land due to the obstruction by the private respondent nos.4 to 10. The petitioner is complaining that she has lodged a complaint with the police authority against the said private respondents, but the police is not taking any steps with regard to her said complaint.

It appears from the record that the dispute sought to be raised in the instant writ petition is civil in nature; in fact, a civil suit in respect of the subject plot of land is pending between the petitioner and the said private respondents before the competent civil Court.

The petitioner, to resolve such dispute, cannot resort to the Constitutional Writ Jurisdiction of this Court.

WPA 2436 of 2024 is, therefore, dismissed as not maintainable; there shall however be no order as to costs.

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

(Biswajit Basu, J.)