

06.11.2025
Sl No.A513
Ct. No.15
S.A.

WPA 710 of 2025

Lala Harikinkar Mishar & Anr.
-vs-
State of West Bengal & Ors.

Mr. Manoranjan Jana
... for the petitioners
Mr. Amal Kumar Sen
Mr. Lal Mohan Basu
...for the State

Let the affidavit of service filed by the petitioners be kept with the records.

The learned advocate appearing for the petitioners submits that respondent nos. 9 to 13 are carrying out unauthorized construction on Plot No. 580, under Pratap Pur-I Gram Panchayat, J.L. No. 209, Mouza Dakshin Chanchiara.

From paragraph 2 of the representation submitted by the learned advocate for the petitioners, dated December 5, 2024, it appears that the petitioners and respondent nos. 9 to 13 are joint owners of the aforesaid plot, and that a dispute exists with respect to the title of the said property. It is further submitted that a title suit concerning the same plot has already been instituted before the competent Civil Court.

Having regard to the nature of the dispute as revealed from the representation, I am of the considered view that the issues raised are essentially

civil in nature and are required to be adjudicated by the competent Civil Court.

The learned advocate for the petitioners has, however, drawn the attention of this Court to paragraph 11 of the writ petition, wherein it has been alleged that the construction in question is being carried out without any sanctioned plan from the concerned Gram Panchayat. The representation of the petitioners dated December 5, 2024, however, does not reflect such an allegation.

In view of the pendency of the civil suit between the parties, I am not inclined to entertain the present writ petition. The petitioners shall, however, be at liberty to file an appropriate application before the Civil Court for necessary reliefs in accordance with law.

Accordingly, **WPA 710 of 2025** stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)