

D/L 86
11.02.2025
Kausik
ct.no.35

W.P.A. 2117 of 2025

**Nitai Das Alias Nitai Chandra Das Alias Nitai
Charan Das Alias Netai Charan Das**

Versus

State of West Bengal & Ors.

Mr. Indranuj Dutta
Mr. Atanu Basu
Ms. Benazir Sk.

...for the petitioners.

Mr. Jayanta Mukherjee

...for the respondent no. 4.

Mr. Wasim Ahmed
Mr. Sk. Md. Masud

...for the state.

Petitioner approached this court as he is being obstructed from construction at the behest of the private respondents. Petitioner prays that in spite of informing the police authorities, no action has been taken.

Learned advocate for the private respondents submits that, the land is undemarcated and a partition suit has been preferred being TS No. 592/24 pending before the learned Civil Judge, Senior Division, Baruipur.

Learned advocate for the State has submitted a report which reflects series of criminal cases are pending between the parties.

Having considered that the civil court is already in seisin of the matter, the subject matter of thrust particularly the construction which the petitioner intends to raise would be subject to the decision of the civil court.

So far as the issue relating to law and order situation is concerned, police authorities would keep a strict vigil and ensure that no breach of the peace or tranquility and/or any untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations WPA 2117 of 2025 is disposed of.

Report so submitted be kept with the record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)