

M/L 41
01.12.2025
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Ct.3.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 2596 of 2024

Govind Murari Agarwal
Versus
Baranagar Municipality & Ors.

Mr. Susanta Pal
Ms. Laxmi Agarwal
.... For the petitioner.

Mr. Arijit Dey
... For Baranagar Municipality

Mr. D. Majumder
Mr. Niladree Mukherjee
... For the respondent no.4.

1. Affidavit of service filed in Court is taken on record.

2. The petitioner is aggrieved by the fact that notwithstanding the order of status quo being passed by the learned Civil Judge (Junior Division) at Bidhannagar in Title Suit No. 269 of 2009 vide order dated 16th August, 2010, the private respondent no.3 had acted in breach of such order and sold out the property in favour of respondent no.4. The property has since been mutated in the name of the respondent no.3 along with the respondent no.4. The petitioner insists that the aforesaid recording should be reversed.

3. Having heard the learned advocates appearing for the respective parties, I find that the petitioner is attempting to enforce compliance of the order passed by

the learned Civil Judge (Junior Division) at Bidhannagar in Title Suit No. 269 of 2009 before this Hon'ble Court by filing a writ petition.

4. In my view there is no scope to entertain the writ petition to enforce the order of a civil Court for which appropriate alternative remedy is available. The writ petition is accordingly dismissed.

5. There shall be no order as to costs.

6. The aforesaid order shall not interfere with the rights of the petitioner to seek enforcement of any order in accordance with law, if so advised.

(Raja Basu Chowdhury, J.)