

06.05.2025
Sl. No.7
akd

W. P. A. 3577 of 2025

[Rabindranath Ghosh @ Kapil Ghosh & Anr. -Vs- The State of West Bengal & Ors.]

Mr. Asim Kumar Niyogi
Mr. V. Pal

... .. for the petitioner

Mr. Sudipta Panda
Ms. Ananya Neogi

... .. for the State

1. The petitioner has filed the present writ petition being aggrieved by the action of the respondent-Baidyabati Municipality whereby the respondent-Municipality has laid down pipe lines for grant of water connection by digging the subject land.
2. It is the case of the petitioner that the land in question is the subject matter of the civil suit being T.S. No.470 of 2021 pending before the learned Civil Judge (Junior Division), 2nd Court, Serampore, Hooghly. The action of the respondent-Municipality is alleged to be in violation of the interim order dated 23.06.2022 passed by the said civil court.
3. For the violation of an interim order passed in a civil matter, the remedy lies before the civil court. This Court, while exercising its writ jurisdiction, cannot take steps for redressing the petitioner's grievance.
4. In view thereof, the present writ petition is dismissed with liberty to the petitioner to approach the appropriate forum in accordance with law.

5. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.
6. There shall be no order as to costs.
7. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)