

Sl. 10
28.03.2025
Court No.6
BP

WPA 6451 of 2025

Sagir Ahmed
-versus-
Maheshtala Municipality & Ors.

Mr. Bidyut Kumar Halder
Mr. Indranil Halder
... for the petitioner

Mr. Prajnadeepta Roy
Mr. Debojyoti Goswami
..for the respondent nos. 1 to 3

The petitioner claims to be the joint owners of several plots of land within Mouza Paharpur under Police Station Rabindranagar in the District of South 24 Parganas. The petitioner alleges that the classification of the said plots of land in the record of rights is 'Shali' meaning thereby an agricultural land.

The petitioner alleges that Maheshtala Municipality has constructed a boundary wall encircling the property of the petitioner.

Learned advocate appearing for the Municipality submits that the petitioner has suppressed the fact that the petitioner along with fifteen others filed a Title Suit No. 1823 of 2022 before the learned Civil Judge (Junior Division), 3rd Court, Alipore against the Kalinagar Netaji Samsad and three others and the said suit was dismissed for default by an order dated February 29, 2024.

Learned advocate for the Municipality further submits that the Municipality has not constructed any boundary wall encircling the property of the petitioner.

Such submission of the learned advocate for the Maheshtala Municipality is placed on record.

From the submissions of the learned advocates for the respective parties, it appears that there is a private dispute between the petitioner and a local club. The petitioner also filed a suit but said suit was dismissed for default by an order dated 29th February, 2024. The fact of filing of the suit has also been suppressed in this writ petition.

For all the reasons as stated hereinbefore, this Court is not inclined to grant any relief to the petitioner. Accordingly, the writ petition stands dismissed.

No order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)