

Item No.12  
17.06.2025  
Court. No. 19  
GB

W.P.A. 6975 of 2025

Obaidullah Sk. & Ors.  
Vs.  
The State of West Bengal & Ors.

*Mr. Animesh Mukherjee,  
Mr. Md. Abdul Alim*

*...for the Petitioners.*

*Mr. Asim Kumar Ganguly,  
Mr. Tarak Karan*

*...for the State.*

*Mr. Anirban Mitra,  
Mr. Santanu Chatterjee,  
Mr. Rajendra Kr. Nandi*

*...for the Respondent Nos.10 to 12 & 14 to 19.*

*Mr. Dwarikanath Mukherjee,  
Mr. Uttam Kumar De*

*...for the Respondent Nos.22 to 27, 29, 30,  
32, 35, 38, 40, 41, 43 & 48*

1. The affidavit-of-service as filed today on behalf of the writ petitioners is taken on record.
2. On perusal of the prayer of the instant writ petition it reveals that by filing the instant writ petition the writ petitioners have prayed for issuance of appropriate writ/writs for removal of alleged unlawful encroachment by the private respondents over L.R. Plot No.803 in Mouza – Bhadrapur in District – Birbhum, which according to the writ petitioners causes obstruction to the very egress and ingress to their property that is situated on L.R. Plot No.803.
3. In course of hearing Mr. Mitra, learned advocate appearing on behalf of the private respondent nos.10, 11, 12, 14 to 19 has filed a bunch of papers pertaining

to W.P. No.13933 (W) of 2018 as filed by some of the writ petitioners of the instant writ petition which is taken on record. In course of his submission, Mr. Mitra draws attention of this Court to the copy of the writ petition as filed in connection with W.P. No.13933 (W) of 2018. It is submitted by Mr. Mitra that from the copy of the said earlier writ petition it would reveal that the some of the present writ petitioners had approached on an earlier occasion before a coordinate Bench seeking similar relief which was not considered favourably by the said coordinate Bench while passing the judgment and order dated 20.09.2018, a copy of which is also available in the bunch of papers as submitted by Mr. Mitra.

4. Mr. Mukherjee, learned advocate appearing on behalf of the private respondent nos.22 to 27, 29, 30, 32, 35, 38, 40, 41, 43 and 48 adopted the argument of Mr. Mitra.
5. Mr. Ganguly duly assisted by Mr. Karan, learned advocates appearing on behalf of the respondent State submit that an appropriate order may be passed in connection with the instant writ petition.
6. This Court has carefully perused the bunch of papers being photocopy of certified copy of the aforementioned writ petition and the aforementioned order dated 20.09.2018. It appears to this Court that in an earlier round of litigation, some of the writ petitioners approached a coordinate Bench of this

Court seeking similar relief alleging obstruction at the behest of the private respondents over the self-same plot number in self-same mouza.

7. In view of such, this Court has got no hesitation to hold that the instant writ petition is barred under the principles of res judicata.
8. With the aforementioned observation WPA 6975 of 2025 is dismissed.
9. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

**(Partha Sarathi Sen, J.)**