

02.07.2025
Court No. 35
Item No.128
Rakib

W.P.A. 13379 of 2025

Binod Bihari Pal.
VS
The State of West Bengal & Ors.

Mr. Debasis Sur,
Mr. Himadri Sekhar Paul.
...for the Petitioner.
Mr. Wasim Ahmed,
Mr. Md. Ziaur Rahaman.
...for the State.

Affidavit-of-service filed by the petitioner be kept with the record.

Learned advocate appearing for the petitioner has approached this Court as in spite of the Executive Magistrate's orders being in existence the police authorities did not act on the same. Petitioner complained that although the scheme has been allotted in his favour but he is facing resistance from the private respondent no.4.

Learned advocate for the State denies and disputes the contention and submits that as no affidavit has been called for the accusations made in the writ petition are deemed not to have been admitted.

The subject matter of the present writ petition reflects that an alternate and efficacious remedy is available to the petitioner, as such the jurisdiction of this Court under Article 226 of the Constitution of India

cannot be invoked considering the nature of the dispute complained of.

Consequently, WPA 13379 of 2025 is dismissed.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)