

02.07.2025
Court No. 35
Item No.126
Rakib

W.P.A. 13367 of 2025

Joy Prakash Das & Anr.
VS
The State of West Bengal & Ors.

Mr. Ziaul Haque,
Ms. Paulomi Ghosh.
...for the Petitioners.

Mr. Wasim Ahmed,
Mr. Sk. Md. Masud.
...for the State.

Mr. Sounak Bhattacharya,
Mr. Soumik Mondal.
...for respondent no.4.

Petitioners complain that without any authority of law, the private respondents have been obstructing and interfering with the construction of property of the present petitioner.

Learned advocate for the State and the private respondent are present and deny the contentions.

Since, no affidavit has been called for both the State and the private respondents are deemed not to have admitted in respect of the accusations made in the writ petition.

Having regard to the fact that is an alternate and efficacious remedy is available to the petitioners, I am of the view that the present writ petition for invoking the jurisdiction under Article 226 of the Constitution of India is not maintainable.

Accordingly, WPA 13367 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.)