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jdt. 05.08.2025
jb.

WPA 15111 of 2024
(Tapan Kr. Chatterjee vs. State of West Bengal & Ors.)

Mr. Abhijit Chakrabarti
... For the Petitioner

Ms. Neelam Singh
... For the State

Mr. Atanu Biswas
Mr. Mrinal Saha
... For the Respondent nos. 7-12

The petitioner has approached this Court being aggrieved by the fact that in spite of the Sub-Divisional Executive Magistrate passing direction in M.P. case no. 128 of 2024, no steps have been taken. The petitioner has expressed his anxiety regarding the interference in respect of the peaceful possession and enjoyment of his property.

Learned counsel for the private respondent nos. 7 to 12 is present.

Learned advocate appearing for the private respondent nos. 7 to 12 denies and disputes the allegations made in the writ petition and also challenges the maintainability of the present writ petition.

As none appears for the State, Ms. Neelam Singh, learned advocate, who ordinarily appears on behalf of the State, is requested to appear for the State in this matter. Her appointment will be regularized by the concerned authority.

Record reflects that the learned Civil Judge, Junior Division, Kalna is in seisin of Title Suit No. 59 of 2024.

Having considered that the Civil Court is in seisin of the issue and the Executive Magistrate also passed necessary direction, I am of the view that if the petitioner faces further inconvenience, he may file his representation before the appellate authority and if such representation is filed, the appellate authority will consider the same in accordance with law.

In view of the direction passed above, further pendency of the writ petition is unwarranted.

Accordingly, the writ petition being WPA 15111 of 2024 is disposed of.

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

Urgent Photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)