

11.11.2025

Sl. 42

Ct.No. 15

Amalranjan

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 15430 of 2025

Sandip Pramanik and anr.

Vs.

The State of West Bengal and ors.

Mr. Nirmalendu Bera

Ms. Gopa Das

...for the petitioners

Mr. Kallol Kumar Basu

Md. Jannat ul Firdous

Mr. Prabuddha Mandal

...for the respondent no. 7

Mr. Joydip Banerjee

Mr. Kalpita Paul

...for the State

The affidavit of service filed by the
petitioners is taken on record.

The Sub-Inspector of Police, Officer-in-
Charge, Khargram Police Station, Murshidabad,
has filed a report before this Court today
through the learned advocate representing the
State. The said report is also taken on record.

The petitioners have alleged that the
respondent no. 7 has undertaken unauthorized
construction on the relevant plot of land without
obtaining permission from the Panchayat
Authority. The petitioners claim to be co-owners
of the said property.

The learned advocate appearing for the respondent no.7, however, submits that the property in question is joint property. It is stated that the original owner was one Narayan Bhandari and respondent no.7 had purchased a portion of the property from one of the legal heirs of Narayan Bhandari. It further appears that a partition suit is presently pending before the competent Civil Court, instituted by the legal heirs of Narayan Bhandari against respondent no. 7, in which an order of status quo has been passed.

The petitioners are not parties to the said civil suit. The petitioners have, moreover, failed to produce any documentary evidence in support of their alleged right, title, and interest in the property in question.

These observations are, *prima facie*, in nature. This Court is not inclined to determine the civil rights of the respective parties at this stage. What is material, however, is the failure of the petitioners to establish even a *prima facie* right, title, or interest over the property in question.

Given that the matter is *sub judice* before the competent Civil Court, this Court is not inclined to pass any order in the present writ petition concerning the alleged unauthorized

construction. The Civil Court is the appropriate forum to consider and pass necessary orders regarding such alleged unauthorized activities.

Accordingly, **WPA 15430 of 2025** stands dismissed.

However, the dismissal of this writ petition shall not have any bearing on the merits of the civil suit presently pending before the learned trial court. The learned trial judge shall dispose of the said suit independently and without being influenced by any of the observations made by this Court in this order.

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

Urgent certified photocopy of this order, if applied for, be supplied to the parties taking all legal formalities.

(Kausik Chanda,J.)