

Sl.27
12.11.2025
Court No.19
BP

WPA 17351 of 2024

Asiya Bibi
-versus-
The State of West Bengal & Ors.

Mr. Amit Bikram Mahata
..for the petitioner

Mr. Soumitra Bandyopadhyay, Sr. Advocate
Mr. Priyabrata Batabyal
..for the State

Mr. S.M. Hassan
Ms. Anupama Yasmin
..for the Municipality

The petitioner alleges that the private respondents have constructed a shop room in front of the shop room of the petitioner thereby causing obstruction to the egress and ingress of the shop room of the petitioner.

Petitioner filed WPA 17261 of 2023 which was dismissed by an order dated 22nd April, 2024 upon holding that the dispute between the parties is a private dispute.

The petitioner has sought to make a case of encroachment of an immovable property by a private party. Such a dispute between the private parties is a civil dispute which cannot be decided in a writ petition.

For such reason, this Court is not inclined to grant any relief to the petitioner.

Accordingly, WPA 17351 of 2024 stands dismissed.

It is, however, made clear that dismissal of this writ petition shall not preclude the petitioner from approaching the proper forum in accordance with law for appropriate reliefs.

No order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)