

Sl.No.

8

20.08.2025

Court
No. 35

G.S.Das

WPA 17747 of 2025

Amal Kumar Das

-Vs-

The State of West Bengal & Ors.

Mr. Sandip das
Mr. Dipankar Bhandari

... for the Petitioner(s)

Mr. Somnath Ganguli, Id. AGP
Ms. Paromita Malakar

... for the State-Respondent(s)

Ms. Sarmistha Ghosh

... for the respondent no. 4

The petitioner submits that as he was a sharecropper, he was being resisted from carrying out cultivation. He approached the civil court, consequent to which, a title suit being TS 362 of 2017 was decreed in his favour.

The petitioner also submits that even after the decree being obtained, he failed to carry out regular activities of cultivation being resisted by the private respondents.

Learned advocate for the

respondent no.4 submits that against the decree passed in TS 362 of 2017, an Appeal has been preferred being TA 9 of 2024. The said appeal is still pending before the learned Addl. Dist & Sessions Judge, 2nd Court, Kakdwip, South 24 Parganas.

State has submitted a report which reflects that a proceeding has been drawn up under Section 126 of the BNSS.

Having regard to the fact that the Appeal Court is *in seisin* of the dispute pending between the petitioner and the private respondents, I am not inclined to interfere with the nature of the dispute complained of.

However, the petitioner, if so advised, would approach the Appellate Court for necessary remedies and/or directions.

With the aforesaid observations,

WPA 17747 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record. Copies of the report be handed over to both the parties.

Photostat copy of the order passed in TA 9 of 2024 be also kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

