

Sl. No.ML.648
11.12.2025
Suman
Ct. 15

WPA 20849 of 2024

Samarendra Nath Sahu
Vs.
The State of West Bengal and Ors.

Mr. Lalratan Mondaln
Mr. Dilip Kumar Sadhu
..for the petitioner

Mr. Ratul Biswas
Md. Abu Riya
..for the State

It is the case of the petitioner that he and respondent nos. 9, 10, 11, and 12 are co-sharers in respect of L.R. Plot Nos. 460 and 44 of Mouza-Kultikri, J.L. No. 230, District Jhargram. The petitioner alleges that respondent nos. 9, 10, 11, and 12 are undertaking unauthorised construction on the said plots without converting the nature of the land and without obtaining a sanctioned plan from the competent authority.

The petitioner's representation, appearing at page 19 of the writ petition, makes it clear that a title suit is already pending between the parties. I am of the view that the petitioner has an appropriate remedy in the pending civil suit for redress of his grievance. The petitioner cannot be permitted to

pursue two proceedings simultaneously in respect of the self-same construction.

Accordingly, **WPA 20849 of 2024** is disposed of, granting liberty to the petitioner to make an appropriate application in the pending civil suit.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)