

27.11.2025

Sl.No. 78

Ct.No. 23

Amalranjan

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 28408 of 2006

Saibeswar Mukherjee

Vs.

The State of West Bengal and ors.

1. The instant writ petition has been filed by the writ petitioner seeking direction upon the respondents particularly the respondent no. 3 to take necessary steps in terms of the complain bearing G.D.E. No. 203 dated 05.12.2006 and give necessary protection so that the petitioner can cultivate the scheduled plot of land peacefully without any disturbance from the private respondents.
2. It is the case of the petitioner that the petitioner is the recorded owner of the land and record of right is lying in the name of father of the petitioner, Sisir Kumar Mukherjee.
3. It appears from the record that the land consists of 24 Satak out of 93 Satak, Khatian No. 2752 Kri. 381 Sabek and 408 Hal and the nature of the land is Aman under Mouza – Patikbari and the private respondents are disturbing and trying to take possession without any right, title and interest. They are

also obstructing cultivation of the scheduled plot of land.

4. None appears on behalf of the petitioner on call.
No accommodation is sought for.
5. This case pertains to the year 2006. Almost 19 years have already passed.
6. Considering the nature of the prayers of the petitioner and long pendency of this case, it seems that the purpose of filing this writ petition has either been resolved or he has abandoned his prayer due to passage of time.
7. It further appears from the record that the disputes are between the two private parties which involved civil disputes. In such situation, the writ Court cannot decide disputed question of facts. However, petitioner is at liberty to seek reliefs from the competent forum if so advised.
8. In view of the above backdrop, the instant writ petition being **WPA 28408 of 2006** is **dismissed** without any order as to costs.
9. Consequently, the connected application, if any, is also, thus, disposed of.
10. Interim order, if any, stands vacated.
11. All parties shall act in terms of the server copy of this order duly downloaded from the official website of this Court.

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

(Ajay Kumar Gupta, J.)