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24.07.2025
S.D.
Ct. No. 26

**F.M.A. 1386 of 2024
With
CAN 1 of 2024**

**Mujibar Gazi
Vs.
The State of West Bengal & Ors.**

Mr. Sk. Moinuddin
..For the appellant
Ms. Sonal Sinha
Mr. Sayan Dutta
Mr. Sandipan Das
...For the State Pollution Control Board

1. Appeal is at the behest of the writ petitioner and directed against an order dated September 23, 2024 passed in W.P.A. 20774 of 2024.
2. Learned advocate appearing for the appellant submits that, in the Civil Court, there is an order of injunction. The private parties are acting in violation of such order of injunction. Moreover, there are orders passed by the criminal Court. The private parties are also acting in violation of such orders passed by the criminal Court.
3. State Pollution Control Board is represented.
4. There are civil disputes between the private parties. In the event, the private parties are acting in breach of any orders passed by any Court, such private parties are not remediless. A Writ Court

need not intervene in such situation, particularly when there subsists a civil Court and interim order was passed in such civil Court.

5. Learned Single Judge, therefore, rightly dismissed the writ petition noting that there is a civil suit for partition pending between the parties.

6. We find no merit in the present appeal.

7. **F.M.A. 1386 of 2024** and the connected application being **CAN 1 of 2024** are **dismissed** without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)