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06.02.2025
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

**W.P.A 44 of 2025
IA No. CAN 1 of 2025
CAN 2 of 2025**

**Sri Prasant Jaiswal & Anr.
-versus
The State of West Bengal & Ors.**

**Mr. Avik Ghatak,
Mr. Tanmoy Sett,
Ms. Sucheta Das.
...For the Petitioners.**

**Mr. Jayanta Samanta,
Mr. Saurav Chowdhury.
...For the State.**

**Mr. Micky Chowdhury.
...For the Applicant
In CAN 1 of 2025.**

**Mr. Rajdeep Bhattacharya.
...For the Applicant
In CAN 2 of 2025.**

1. The petitioners pray for a direction upon the police to permit them to clear the bushes in and around the property which is the subject matter of a civil suit where an order of injunction is subsisting.

2. Two applications for addition of party have been filed by persons who are parties in the suit. The applicant, Kavita Jaiswal is the plaintiff and Saran Jaiswal and others are the defendants in the subject title suit.

3. The petitioners admit that an order of injunction is subsisting and an application has already been made before the learned Civil Court for necessary order.

4. After hearing the parties, it appears that the applicants may be impleaded as respondents in the instant writ petition as any order passed herein may affect their right in the pending suit.

5. The applications for addition of party, accordingly, stands allowed.

6. The Court is of the opinion that as the property in question is the subject matter of dispute in the pending suit, accordingly, the parties are relegated to the said forum for obtaining necessary order.

7. The writ petition and the connected applications being CAN 1 of 2025 and CAN 2 of 2025 stand disposed of.

8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)