

March 12, 2026
(33) ARDR

WPA 20784 of 2025

Manabendra Kumar Podder
Vs.
The State of West Bengal & ors.

Adv. Sujit Banerjee,
Adv. Nilay Sengupta,
Adv. Mohit Gupta,

...for the petitioner.

Adv. Prabir Majumder,
Adv. Debraj Shil,

...for the respondent no.8.

Adv. Jayanta Samanta,
Adv. K. K. Hossain,

...for the State.

Affidavit of service filed by the petitioner is taken on record.

The petitioner alleges that the private respondents are raising unauthorised construction in the plot in question without obtaining any sanctioned plan and without leaving the requisite side space.

Learned counsel for the private respondents submits that a suit filed by the private respondents against the petitioner being Title Suit no. 120 of 2025 is pending before the learned Civil Judge (Junior Division), Nabadwip, Nadia wherein this petitioner has been restrained from disturbing the peaceful possession of the private respondents in respect of the property. The order was passed prior to filing the writ petition and notice has been issued upon the petitioner in this regard.

It is most unfortunate to note that pendency of the civil suit in respect of the property involved in the writ

petition has been deliberately suppressed by the petitioner. It is trite law that a litigant seeking relief from a Court of law should approach the Court with clean hands.

In view of the fact that the petitioner has deliberately suppressed material fact before this Court, he is not entitled to any relief herein.

The writ petition is dismissed on such count.

There shall however, be no order as to costs.

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

(Suvra Ghosh, J.)