

March 12, 2026
(35) ARDR

WPA 25244 of 2024

Mantu Sasmal
Vs.
The State of West Bengal & ors.

Adv. Mahaboob Ahmed,
...for the petitioner.

Adv. Anindya Bose,
Adv. Santanu Maji,
Adv. Mridul Biswas,
Adv. Debrani Mondal,
...for the private respondents.

Adv. Ansar Mondal,
Adv. Indrani Nandi,
Adv. Ranjit Rajak,
...for the State.

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

The petitioner has alleged unauthorised construction being raised by the private respondents in the plot in question.

Learned counsel for the private respondents submits that the petitioner and others filed a suit against the private respondents before the learned Civil Judge (Junior Division) Amta being Title Suit no. 22 of 2022 in respect of the property and prayer involved in the writ petition.

It appears that the Title Suit was filed prior to filing of the writ petition. Pendency of the suit has not been disclosed in the writ petition.

This Court is informed that during pendency of the writ petition the suit has been withdrawn with liberty to file afresh on the same cause of action.

In view of the above, this Court is inclined to hold that the petitioner has deliberately suppressed material fact before this Court. It is trite law that a litigant seeking relief before a Court of law should come to Court with clean hands. Since the petitioner has deliberately suppressed material fact before this Court, he is not entitled to any relief herein.

The writ petition is accordingly dismissed.

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.)