

January 29, 2026
(28) ARDR

WPA 26054 of 2025

Afsar Ali Baidya
Vs.
The State of West Bengal & ors.

Adv. Sounak Bhattacharya,
Adv. Sounak Mondal,
... for the petitioner.
Adv. Gazi Faruque Hossain,
Adv. Rakib Hussain Khan,
...for the respondent nos. 4 & 5.
Adv. Ranjit Rajak,
...for the State.

Report submitted by the State is taken on record.

The petitioner and the private respondents claim to be the co-sharers in respect of the property in question.

Learned counsel for the private respondents points out that the petitioner has filed a Title Suit being T.S. no. 157 of 2023 in respect of the property which is the subject matter of the present writ petition. The said fact has not been disclosed in the writ petition. Such conduct of the petitioner amounts to deliberate suppression of material facts. It is trite law that an aggrieved person should approach the Court with clean hands in order to seek any relief therefrom.

In view of the fact that the petitioner has deliberately suppressed pendency of the Title Suit in respect of the self same property as in the present petition, the writ petition is liable to be dismissed on such ground.

Accordingly, the writ petition is 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.)