

09.02.2026
Court No.13
Item No.16
AP

**MAT 2007 of 2025
With
CAN 1 of 2025**

**Md. Asif Khan
Vs.
The State of West Bengal and Ors.**

Mr. Shiv Chandra Prasad
Mr. Nikhil Kumar Gupta
Mr. Subhadeep Maitra

.... For the Appellant.

Ms. Sipra Mazumdar
Ms. Srilekha Bhattacharyya

.... For the State.

Mr. Sondipan Banerjee
Mr. Ankit Surekha

.... For the Howrah Municipal Corporation.

Mr. Golam Mastafa
Mr. T.S. Samanta

.... For the Respondent Nos.9 & 10.

1. The appeal is directed against an order dated 6th November, 2025 passed by a Single Bench of this Court. The writ petitioner/appellant was seeking mandamus to restrain the private respondents from interfering with the possession of the appellant's property and entering into the same.

2. The grievance of the writ petitioner/appellant can only be entertained in a Civil Suit or a proceeding under the Civil Procedure Code. The writ petition is ex facie not maintainable. The Single Bench has, therefore, rightly dismissed the writ petition. The impugned order calls for no interference.

3. Accordingly, MAT 2007 of 2025 is dismissed. Consequently, pending application being CAN 1 of 2025 is also dismissed.

4. There shall be no order as to costs.

5. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)