

27
05.12.2023
Court No. 24
AGM

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

W.P.A 18738 of 2023

**Farukul Islam Molla & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. Mohinoor Rahaman
Ms. Maria Rahaman
...For the Petitioners.**

**Mr. Sasanka Kumar Mondal
Mr. Aniruddha Lahiri
... For the respondent nos. 8 to 10.**

The petitioners allege that the private respondents have made construction over their private land with the grant obtained under the PMAY scheme.

Learned advocate representing the private respondents disputes the aforesaid submission.

It has been submitted that the land in question belongs to the private respondents. A suit for partition is pending consideration before the learned Court below.

Upon hearing the parties it appears that the ownership of the land is in dispute. A suit for partition is pending. It will not be proper to pass any direction upon the respondent authority to decide the issue of ownership.

It will be open for the parties to approach the appropriate forum for redressal of their grievances after final conclusion of the partition suit.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)