

Item No.26
Ct. No.35
dc.

**Ghulam Moinuddin
versus
The State of West Bengal & Ors.**

Mr. Jaydeep Biswas,
Mr. Kaushik Ghosh ... For the Petitioner.

Mr. Amitesh Banerjee, Sr. Standing Counsel,
Mr. Debangshu Dinda ... For the State.

Mr. Saptangshu Basu,
Ms. A. Reetika Achary
... For the Respondent Nos. 8 & 9.

Supplementary affidavit filed on behalf of the petitioner be kept with the record. Copy of the same be served upon the learned advocates appearing for the State and the private respondent nos. 8 and 9.

State has produced the case diary. Further investigation is still under process. Appropriate communications have been made to the authorities.

Mr. Basu, learned senior advocate appearing for the respondent nos. 8 and 9 submits that a suit for declaration has been preferred by the present petitioner which is pending before the Waqf Tribunal, West Bengal.

As the present criminal case was initiated in the year 2023 and the investigation of the same is under process, the Waqf Tribunal which is in seisin of the suit will not be precluded from proceeding with the proceedings only because of the reason that the writ court is in seisin of the matter.

List the writ petition under the heading “For Orders” on 14.01.2025.

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

(Tirthankar Ghosh, J.)