

19.10.2020
Item No.29
(D/L)
Ct-23
(AD)

IN THE HIGH COURT AT CALCUTTA
(CONSTITUTIONAL WRIT JURISDICTION)
APPELLATE SIDE

(Via Video Conference)

WPA 6187 of 2020

Md. Salim & Ors.

vs.

State of West Bengal & Ors.

Mr. Tanmoy Mukherjee

... for the petitioners.

Mr. Ashim Kumar Ganguly

Mr. Bellal Shaikh

... for the State.

Mr. Sanjib Seth

... for the respondent nos.4 & 5.

The grievance of the petitioners in this writ petition is that in spite of the order dated February 27, 2020 passed by a Coordinate Bench of this Court in CO No.4244 of 2019 directing the petitioners, as well as the private respondents to maintain *status quo* as of date with regard to the nature, character, possession and alienation of the property, the private respondents are carrying on construction at the suit property in question.

In terms of the order dated September 14, 2020 by a Coordinate Bench, the Inspector-in-Charge of Howrah Police Station has filed a report dated October 1, 2020 stating, *inter alia*, that presently no new construction work is going on at the suit property.

In view of the above report of the Inspector-in-

Charge, Howrah Police Station, there is no point in keeping the writ application pending. Accordingly, the writ petition, WPA 6187 of 2020 is disposed of by directing the respondent no.3, Inspector-in-Charge, Howrah Police Station, to ensure that no construction work, of any nature whatsoever, is being carried on at the suit property, being Premises No.72, Srinath Porel Lane, P.S and District Howrah by the private respondents or any person whosoever, till disposal of Title Suit No.30 of 2019 pending before the learned Civil Judge (Junior Division) 3rd Court at Howrah.

There shall be, however, no order as to costs.

(Ashis Kumar Chakraborty, J.)