

19.11.2020

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**W. P. A. 7219 of 2020
I A No. CAN 1 of 2020**

(Via Video Conference)

**Mst. Asida Khatun Bibi
Vs.
The State of West Bengal & Ors.**

Mr. Dilip Kumar Samanta
Mr. Debapriya Samanta
... For petitioner.

Ms. Chama Mukherjee
Mr. Siraj Gooptu
... For State.

Mr. Samanta, learned advocate appears on behalf of petitioner and submits, illegal construction is being made by private respondent nos. 6 to 11. His client filed partition suit, in which said respondents are parties and aware that there is restraint order directing parties to maintain of status quo regarding nature, character and possession of the property in question. His client complained to respondent nos. 4 and 5, being officer-in-charge of Bhagwanagola Police Station and Pradhan of Mahisasthali Gram Panchayat. It is his submission that said respondents did not take any step against private respondents, which caused his client to approach respondent no. 3, Superintendent of Police, Murshidabad by complaint dated 14th August, 2020.

Ms. Mukherjee, learned advocate appears on behalf of State and submits, she is representing respondent

nos. 3 and 4. She confirms receipt of complaint by office of Superintendent of Police. She submits, inquiry was made and steps are being taken for prosecuting under section 107 of the Code of Criminal Procedure, 1973. The Police are not aware subsisting of order of civil Court. If that is made known, they will ensure that the directions are complied with.

Petitioner will obtain and serve copy of order of civil Court upon the Police along with copy of this order. Court relies on submissions made on behalf of the Police that petitioner will be given the relief of compliance with civil Court order, on appropriate Police action, if necessary.

With the above the writ petition and connected application are disposed of.

(Arindam Sinha, J.)