

16/07/2021  
Item No.2.  
Court No.8.  
AB

**Through Video Conference**

**W. P. A. 11337 of 2021**

**Bibhas Gayen**

**Vs**

**The State of West Bengal & Others**

Mr. Dipankar Pal                      ...for the Petitioner.

Mr. Amitesh Banerjee,  
Ms. Ipsita Banerjee                      ...for the State.

The petitioner complains of police inaction.

Learned advocate appearing for the petitioner submits that, the petitioner is similarly circumstanced as that of the earlier writ petition being W.P.A. 11303 of 2021 (Tapas Kumar Gayen Vs State of West Bengal & Others), which was disposed of by an order dated July 13, 2021. He prays that similar order may be passed in this writ petition.

The State is represented.

It appears that there is a title suit being Title Suit No.852 of 2020 in which there subsists an order dated January 28, 2021. In the earlier writ petition, the title suit was Title Suit No.853 of 2021.

The order of status quo passed in Title Suit No.852 of 2020 does not delineate the possession of the respective parties in the suit property.

In such circumstances, no interference is called for by the writ court since the order of status quo does not define the possession of the respective parties in the suit property.

W.P.A. No.11337 of 2021 is disposed of, accordingly.

This order will not prevent the private parties from available of their remedies before the appropriate forum in accordance with law.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

***(Debangsu Basak, J.)***