

06-12-2021
ct no. 13
Sl.38
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WPA 17046 of 2021
Lakshman Halder
Versus
The State of West Bengal & Ors.
(Via Video Conference)

Mr. Arkadeb Biswas
...for the petitioner

Mr. Amitesh Banerjee, Id. Sr. St. Counsel,
Ms. Ipsita Banerjee
...for the State

Mr. Chirantan Sarkar,
Mr. R. Bhattacharjee,
Mr. N.K. Singh
...for the respondent nos.5 to 8

Affidavit of service filed in Court today is
taken on record.

The petitioner and the private respondents
are in dispute with regard to a property situated
and lying at Purba Katwa. With regard to mutual
rights and the alleged documents of title, there is a
civil suit being T.S. 73 of 2018, now pending before
the learned Civil Judge (Jr. Division), First Court,
Katwa.

It is submitted that the petitioner has
initiated proceedings under Section 144 of the Cr.
P.C., which has since expired. A status quo order
has been passed by the learned Civil Judge (Jr.
Division) against the original defendant Kalipada
Halder since deceased.

Mr. Banerjee, learned senior counsel appearing for the State submits that charge sheets have been filed in respect of the FIRs registered at the instance of the parties.

Since the disputes are pending in the Civil Court, this Court directs the learned Civil Judge (Jr. Division), First Court at Katwa to expeditiously dispose of the said T.S. 73 of 2018.

The Officer-in-Charge, Katwa Police Station shall ensure that there is no breach of peace in the said area.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of this judgment, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)