

02.03.2022

Ct. No. 13

Sl.24

pk

W.P.A No. 719 of 2022
(Through Video Conference)

Biren Urao and another
Vs.
State of West Bengal and others

Mr. S. P. Lahiri,
Md. Habibur Rahman
.... for the petitioners.

Ms. Chama Mookherji,
Ms. Paramita Pal
... for the State.

Mr. Malay Bhattacharya
... for the private respondents.

The writ petitioners allege inaction on the part of the Karandighi Police Station.

Karandighi Police Station has filed a report in the form of instructions addressed to the Government Pleader dated 17.02.2022.

It appears from the records that there is a Civil Suit being O. C. 35 of 2018 now pending before the learned Civil Judge (Junior Division), Islampur, Uttar Dinajpur. The said suit has been filed in respect of certain plots of land, which the petitioners claim as owners.

Counsel for the private respondents submits that the land originally belonged to his clients. Based on a fraudulent deed, the record of rights have been wrongfully altered.

This Court cannot enter into the issues as the same is civil in nature and the civil court is seized of the matter.

It is submitted by the petitioners that notwithstanding the order of status quo dated 24.07.2018, taking advantage of Pandemic, the private respondents have forcibly occupied his land. This Court is of the view that the said grievance of the petitioners can be dealt with by the civil court.

The Officer-in-Charge, Karandighi Police Station is directed to ensure that there is no breach of peace in the area and shall maintain regular vigil thereat.

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

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)