

14.02.2022  
Court No.13  
Item No.27  
AP

**WPA 5820 of 2021**

**Sk. Sabuddin**  
**Vs.**  
**The State of West Bengal and Ors.**  
(Through Video Conference)

Mr. Manoranjan Jana  
Ms. Mitali Jana

... For the Petitioner.

Mr. Santanu Kumar Mitra  
Mr. Mirza Kamruddin

... For the State.

Affidavit of service filed in Court today be kept with the record.

Private respondents are not represented.

The writ petitioner is aggrieved by alleged inaction of the Mandermoni Coastal Police Station.

Learned counsel for the writ petitioner submits that the private respondents have constructed a fence as a consequence thereof the ingress and egress to their residence has been completely blocked. It is further submitted that the writ petitioners are surviving by receiving foodgrains through a window on one side of the house.

Learned counsel for the State has produced a report in the form of instructions dated 14<sup>th</sup> February 2022 issued by the Officer-in-Charge, Mandermoni Coastal Police Station addressed to the learned State Advocate and the same is taken on record.

It appears from the report that after receipt of complaint from the petitioner, the dispute was diarised

and proceedings under Section 107 of the Cr.P.C. have been drawn up vide NCR No.134/21 dated 11<sup>th</sup> June 2021.

It is further submitted that there is a partition suit pending between the petitioner and the private respondents being T.S. No.171 of 2016 before the Learned Sessions Judge, 2<sup>nd</sup> Court Contai. There is an order of status quo passed by the said Civil Court.

The writ petitioner's remedy is, therefore, to seek execution and enforcement of the order of the Civil Court.

Officer-in-Charge, Mandermoni Coastal Police Station shall ensure that there is no breach of peace in the area.

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.)**