

S/L 25
24.06.2022
Court. No. 19
GB

WPA 10196 of 2022

Pijus Kanti Dutta
VS
The State of West Bengal & Ors.

Mr. Syed Shamsul Arefin.

...for the Petitioner.

*Ms. Chama Mookherji,
Ms. Manika Pandit.*

...for the State.

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

Despite service, none appears on behalf of the respondent no.5.

The police authorities have already been directed by the learned Sub-Divisional Magistrate to maintain peace and tranquility in the area. The police authorities had arrested both the parties under Section 151 of the Code of Criminal Procedure. Both were released upon furnishing PR bond. Prosecution under Sections 107/116(3) of the Code of Criminal Procedure has been filed. On two occasions, parties have been asked to maintain peace and tranquillity. The issues with regard to the effect of the transfer of the property to the respondent No. 5, in violation of the order of status quo passed in Title Suit No.213 of 2000, shall be decided by the learned civil court.

The remedy of the petitioner is before the learned civil court. The petitioner shall also be at liberty to pray for further orders in respect of the alleged construction, which is allegedly going on at the instance of the respondent no.5, after such purchase. The police authorities shall ensure that

there is no breach of peace and the parties do not create a law and order problem.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)