

04-01-2022
ct no. 13
Sl. 21
sp

**WPA 18813 of 2021
(Through Video Conference)**

Sk. Saifuddin & Anr.

-Versus-

The State of West Bengal & Ors.

Mrs. Pampa Dey (Dhabal)

....for the petitioners

**Mr. Wasim Ahmed,
Sk. Md. Masud**

...for the State

**Mr. Atarup Banerjee,
Mr. G.N. Imruhi,
Ms. Saswati Adhikary**

...for the respondent nos. 5 to 10

The writ petitioners are aggrieved by alleged police inaction.

It is submitted that the private respondents are obstructing construction over plot no. 5208 in respect of which the writ petitioners claim to have obtained a loan for construction of a house under the Pradhan Mantri Abas Yojona.

Counsel for the private respondents submits that T.S. 1069 of 2019 has been filed against the writ petitioners, which is now pending before the learned 6th Civil Judge (Junior Division), Alipore. It is further submitted that the civil Court has ordered injunction against the petitioners in respect of plot no. 5208 on which both the writ petitioners and the private respondents are assert title to.

The dispute between the parties is therefore purely civil in nature. The police have nothing to do with the same. The parties may thrash out their disputes and differences in the civil Court.

The Bishnupur Police Station shall not interfere in the matter without specific orders of the Civil Court. The O.C. of the P.S. shall, however, ensure that there is no breach of peace in the locale.

A certified copy of the plaint filed by the private respondents in the said Civil Suit may be kept with the record. Counsel for the private respondents shall make available a certified copy of the plaint filed in Court today, to the counsel for the petitioners.

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.)