

18.11.2022
Court No.13
Item No.322
AP

WPA 19321 of 2021

**Mainul Haque Sk. @ Mainul Sk. and Ors.
Vs.
The State of West Bengal and Ors.**

Ms. Shabana Hasim
Mr. Mobaidur Hossain

...For the petitioners.

Mr. Paritosh Sinha
Mr. Sayan Ganguly

...For the State.

Mr. S. Shah
Mr. Soumen Barman

...For the Respondent Nos.4 & 6.

The petitioners claimed to have purchased a portion of un-demarcated land. The private respondents also claim to have purchased the same un-demarcated land.

There is civil suit being Partition Suit No.231 of 2017 pending before the learned Civil Judge (Senior Division), Berhampore. The Court is stated to have ordered status quo with regard to the nature and character of the suit property.

It is not understood as to how an order of this nature can be enforced by the police.

The petitioner may, therefore, approach the Civil Court for enforcement of its own order.

Nowda Police shall act strictly in terms of the Civil Court's order.

With the aforesaid observations, the writ petition shall stand disposed of.

Nowda Police shall, however, ensure that there is no breach of peace in the area.

With the aforesaid observations, the writ petition shall stand disposed of.

There shall be no order as to costs.

The report in the form of instructions of the Officer-in-Charge, Nowda Police Station is taken on record.

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

(Rajasekhar Mantha, J.)