

31.10.2022.
Court No.13
Item No. 10
ap

W.P.A. No. 22496 of 2019

**Madan Mohan Bera & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Saibal Acharyya,
Mr. Pradip Paul.

...For the petitioners.

Mr. N.C. Bihani,
Mrs. P.B. Bihani.

...For the State.

The petitioners obtained a civil decree of declaration and title in Title Suit No. 41 of 2000 issued by the Civil Judge (Junior Division), 1st Court, Paschim Medinipur.

The petitioners complain that the private respondent continued to violate the said decree of the Civil Court.

This Court is of the view that the remedy of the petitioners is to seek execution of such decree. The police have no role to play whatsoever unless there are formal directions from the Civil Court.

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

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(*Rajasekhar Mantha, J.*)