

02.05. 2022
item No.18
n.b.
ct. no. 34

CRR 3798 of 2019

Sk. Israful & Ors.
Vs.
Sk. Abdur Rahaman & Ors.

Ms. Indrani Pal
.....Petitioners.

Mr. K. C. Das,
Mr. S. Ali
.....for the opposite party.

Mr. Anwar Hossain,
Ms. Manisha Sharma
... for the State.

Report has been submitted by the Officer in Charge, Bhagwanpur Police Station. Let the report be kept with the record.

Report reflects that the opposite party did not get complete possession of property of the land in question, as demarcated by the Revenue Inspector submitted before the B.L.R.O. Bhagwanpur Block-I. Legally the Executive Magistrate Court should not proceed beyond the issue of breach of peace taking place.

However, if pursuant to any application or order passed by the Executive Magistrate any path way as is complained of in respect of plot no.1063 within Mouza Benudia Khatian No.135 has taken place thereby obstructing any path, the same should be removed by the Police Authorities, (if it is done after the order passed by the Executive Magistrate).

So far other issues are concerned the dispute relate to civil in nature and the Civil Court should be approached by the parties for settling of the dispute.

No order need be passed, as the Police Authorities have keep strict vigil as is reflected from the report. However, the aforesaid order must be complied with by the Officer in Charge Bhagwanpur Police Station.

With the aforesaid observations, CRR 3798 of 2019 is disposed of.

All pending connected applications, if any, are consequently disposed of.

Interim order, if any, is hereby vacated.

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

(Tirthankar Ghosh, J.)