

S/L 6
7.6. 2022
Court. No. 19
sn

WPA 8001 of 2020

Arun Mukherjee
Vs.
The State of West Bengal & Ors.

Mr. Atarup Banerjee
Mr. Gazi Farque Hossain
... for the Petitioner

Ms. Jayeeta Sinha
Mr. Sandip Mondal *... for the State.*

The petitioner alleges inaction on the part of the Inspector-in-Charge, Nodakhali Police Station. According to the petitioner, a civil suit is pending between the petitioner and the respondent no.7.

The learned civil court passed an order of status quo, but in violation of the order of status quo the respondent no.7 has been trying to cut down the trees in the suit property and has also been creating disturbance in the petitioner's enjoyment of the suit property.

The petitioner submits that a complaint has been lodged before the Inspector-in-Charge, Nodakhali Police Station. The dispute is over L.R. Dag nos. 316,468,467,470,431,469,404/681 in mouza Talmuria.

Learned advocate for the State respondents submits that the petitioner had failed to produce any document or any order of the learned civil court to

show that the status quo order has been extended. He further submits that the petitioner has an alternative remedy. Moreover the allegations of violation of the order of status quo are not based on any evidence.

Having considered the rival contentions of the parties, this Court is of the view that the remedy of the petitioner would be to approach the learned civil court for necessary orders by filing appropriate application, seeking implementation of the order of status quo, if the same still survives.

Under such circumstances, this writ petition is disposed of with the above liberty to the petitioner. If such application is filed by the petitioner, the same shall be disposed of by the learned civil court expeditiously and in accordance with law.

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.)