

25.02.2022
Court No.13
Circuit Bench
at Jalpaiguri
Item No.7
AP

HIGH COURT AT CALCUTTA
IN THE CIRCUIT BENCH AT JALPAIGURI

WPA 449 of 2022

Barnali Roy
Vs.
The State of West Bengal and Ors.

(Through Video Conference)

Mr. Rama Prasad Sarkar

... For the Petitioner.

Affidavit of service filed in Court today be kept with the record. Despite service, respondents are not represented.

The writ petitioner is aggrieved by the fact that notwithstanding the order dated 24th April 2018 passed by the learned Civil Judge (Senior Division), Siliguri in T.S. No.27 of 2018, the respondents have continued to violate the same and disturb the writ petitioner's possession and enjoyment of the property. Representations had been made to the Officer-in-Charge, Kharibari Police Station, Inspector-in-Charge, Siliguri Police Station and the Commissioner of Police, Siliguri Police Commissionerate by email.

The Court is of the view that the petitioner's remedy would be to seek enforcement of the order of status quo before the learned Civil Judge (Senior Division), Siliguri inter alia under Order 39 Rule 2A.

If such application is made by the writ petitioner, the same may be considered in accordance with law as expeditiously as possible.

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.)