

14-06-2023
ct no. 13
sl. no. 6
sp

WPA 3270 of 2023
Abdul Shahajhan Khan
-Versus-

The State of West Bengal & Ors.

Mr. Partha Chakraborty,
Mr. Muhammad Obaid

...for the petitioner

Mrs. Joyita Roy,
Mr. Rameshwar Sinha

...for the respondent nos. 6 to 11

1. The Officer-in-Charge, Debra Police Station, Paschim Medinipur has filed a report dated 13.06.2023, which is taken on record.
2. This Court is not satisfied with the report. The order of injunction passed by the learned Civil Judge (Junior Division), 3rd Court, Paschim Medinipur was to the effect that the parties should maintain status quo in respect of the right, title and interest and possession in the suit property.
3. Counsel for the private respondents submits that there has been absolutely no construction on the property after the order of injunction on February 17, 2020.
4. The Debra Police shall post a picket comprising of 2 constables at the suit property within a period of 3 weeks from date.

5. The Debra Police Station shall conduct enquiries as to whether any construction has occurred on the suit property or whether its nature and character has changed since after February 17, 2020 and submit a report to the learned Civil Judge (Junior Division), 3rd Court, Paschim Medinipur in T.S. 487 of 2018, without a period of 10 days from date.
6. The Court below upon receipt of the report from the Debra Police Station, shall be entitled to pass appropriate orders on any application of the petitioner under Order 39 Rule 2(a) of the CPC.
7. Hearing of the suit is expedited. Let the suit be disposed of by the Court below within a period of 6 months from date.
8. With the aforesaid observations, the instant writ petition shall stand disposed of.
9. There shall be no order as to costs.
10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)