

12.10.2023

WPA 4565 of 2023

**Sanwara Bibi & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Nitai Chandra Saha
Mr. Prosenjit Mukherjee
Mr. Abhijit Chandra Majumder

... ... for the petitioners

Mr. Amitesh Banerjee, Sr. Adv.
Mr. Tarak Karan

... ... for the State

Affidavit of service filed on behalf of the petitioners
is taken on record.

Despite service, no one appears on behalf of the
private respondents.

Supplementary affidavit filed on behalf of the
petitioners is also taken on record.

Report filed on behalf of the State is also taken on
record.

Learned counsel appearing on behalf of the
petitioners submits as follows. The petitioners are the
owners of the property in question. The private
respondents are rank outsiders having no right, title and
interest in respect of the suit property. Still they are
trying to dispossess the petitioners from the property.
This prompted the petitioners to approach the Civil
Court. By an order dated 24.11.2022 passed by the
learned District Judge-in-Charge, South 24-Parganas at
Alipore in Misc. Appeal No.375 of 2002 the respondents
were restrained from ousting the appellants from the suit

property. The petitioners also filed an application under section 144 of the Code and obtained a favourable order. They made complaints before the police authorities, but no help was provided.

Learned Senior Standing Court representing the State relies on the report and submits as follows. The police authorities are filing reports in the proceedings initiated by the petitioners under sections 107 and 144 of the Code of Criminal Procedure. They are also keeping a close watch on the developments in the locality.

It appears that the petitioners have already obtained a favourable order from the Civil Court.

In view of the above, the respondent authorities shall keep a sharp vigil at the locale and ensure that no breach of peace takes place and see to it that the order passed by the Civil Court is not violated.

With the aforesaid observations, the writ petition is disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Jay Sengupta, J.)