

05.04.2023.
Court No.13
Item No. 361
ap

W.P.A. No. 6366 of 2022

**Sekh Murshid Alam
Versus
The State of West Bengal & Ors.**

Mr. M.L. Podder,
Mr. Sanjoy Ghosh.

...For the petitioner.

Mr. Wasim Ahmed,
Mr. Aritra Ghosh.

...For the State.

Affidavit-of-service filed in Court today be taken
on record.

The petitioner is aggrieved that the private
respondents are disturbing the possession of his
property.

Admittedly, Title Suit No. 53 of 2022 is pending
before the learned Civil Judge (Junior Division) 1st
Court, Alipore, South 24 Parganas.

He also preferred an appeal being Misc. Appeal
No. 19 of 2022 before the Learned District Judge,
Alipore wherein he obtained an order restraining the
private respondent from dispossessing him from the
property in question.

The petitioner may apply for appropriate orders
from the Civil Court directing the police to enforce the
same in accordance with law.

Nodakhali Police Station shall strictly comply
with any order passed by the Civil Court on them. The
police have taken out proceedings under Sections 107

and 116 of the Code of Criminal Procedure on the petitioner's complaint.

Nodakhali Police shall ensure that there is absolutely no breach of peace in the area.

The report of the Inspector-in-charge, Nodakhali Police Station dated 18th April, 2022 in the form of instructions addressed to the Government Pleader, High Court, Calcutta filed in Court today be taken on record.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)