

27.04.2023
Court No.13
Item No.2
AP

WPA 5705 of 2019

**Md. Safikul Alam
Vs.
The State of West Bengal & Ors.**

Mr. Amitava Raha
.....for the Petitioner.

Mr. Santanu Kumar Mitra
.....for the State.

Mr. Probal Kumar Mukherjee
Mr. Rajat Dutta
.....for the added Respondent.

1. Affidavit-in-opposition filed on behalf of the added respondents and the respondent Nos.2, 3, 3A, 5 & 7 are taken on record.

2. Inspector-in-Charge, Ratua Police Station has filed a report dated 23rd April, 2023 and the same is taken on record.

3. It is submitted that the order of status quo is being enforced. The hawkers on the land are stated to have been functioning thereat even before the status quo was passed.

4. A normal interpretation would, therefore, mean that the hawkers should not be disturbed. However, the petitioner and the private respondents may approach the civil Court for any additional orders or variation of the existing order.

5. Ratua Police shall strictly comply with any order that may be passed by the Civil Court. Ratua Police shall also file an appropriate report before the learned Court below as regards the current status of the matter and the land in question.

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

7. There shall be no order as to costs.

8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)