

02.05.2023
Court No.13
Item No.23
AP

WPA 7547 of 2023

**Shatrughna Karmakar
Vs.
The State of West Bengal and Ors.**

Mr. Kumarjyoti Tewary
Mr. Mobaidur Hossain

... For the Petitioner.

Mr. Molay Singh
Mr. Bibekananda Tripathy

... For the State.

Mr. Kingsuk Mondal

... For the Private Respondents.

1. The petitioner wants to construct a boundary wall around a temple. He claims to be the secretary of the Ramnagar and Puratan Alampur Shib Mandir Parichalan Committee, which runs the temple.

2. There is admittedly Title Suit No.13 of 2009 which, renumbered as Title Suit No.1390 of 2014 is pending before the Civil Judge (Junior Division), Berhampore, Murshidabad. There is an order of status quo in the civil suit.

3. The petitioner's counsel claims that there is regular disturbance by local miscreants who interfere with the ritual activities in the temple. The said miscreants consume alcohol and create nuisance in the area.

4. Nowda Police shall ensure that there is absolutely no breach of peace in the area and no

miscreants shall be allowed to violate the order of status quo. Nowda Police shall also ensure that the activities of the temple shall continue in accordance with law.

5. Any request to construct a boundary wall may be applied formally before the Civil Court where the aforementioned suit is pending and the parties shall abide by any orders that may be passed by the Civil Court.

6. Nowda Police shall strictly comply with any order that may be passed by the Civil Court.

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

8. There shall be no order as to costs.

9. The report of the Officer-in-Charge, Nowda Police Station, Murshidabad dated 8th April, 2023 is taken on record.

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

(Rajasekhar Mantha, J.)