

09.02.2023.
Court No.13
Item No. 17
pk

W.P.A. No. 7820 of 2022
Nazrul Islam Tarafdar and others
Versus
The State of West Bengal & Ors.

Md. Younush Mondal

...For the petitioners.

Mr. Mobaidur Hossain

... for the respondent nos. 4 to 7.

The writ petitioners are aggrieved by alleged inaction on the part of the Deganga Police Station.

Counsel for the petitioners submits that the Civil Judge (Junior Division), First Court, Barasat, North 24 Parganas has passed an order on 16.02.2022 in T. S. No. 161 of 2022 directing the status quo to be maintained in respect of “B” schedule property in the plaint. Parties were also restrained from changing the nature and character of the suit property and/or from alienating it.

It is submitted that the private respondents are disturbing the petitioners.

The I. C., Deganga Police Station has filed a report stating that on the petitioners’ complaint, FIR No. 33 of 2023 on 22.01.2023 has been registered under Sections 419/420/325/34 of the IPC against the private respondents. The petitioners ought to have applied in the court below for enforcing the order of injunction. They may do so in accordance with law.

Counsel for the private respondents submits that his clients have not violated the order of status quo.

In that view of the matter, Deganga Police shall ensure that neither the petitioners nor the respondents change the nature and character of the property-in-question. The police shall abide by any further order that may be passed by the civil court on them.

In view of the above, the instant writ petition is disposed of.

There will be no order as to costs.

The report of the Deganga Police Station dated 05.02.2023 is taken on record.

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.)