

WPA 13357 of 2023

Tarapada Sarkar & ors.

-vs-

State of West Bengal & ors.

Mr. Siddhartha Sarkar

Mr. Hirak Roy

Mr. Prasad Bhattacharya

...for the petitioners

Ms. Pampa Dey (Dhabal)

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

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

Despite service, no one appears on behalf of the State, although the private respondent is represented.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the owners of the land in question. For some time, the private respondents had been disturbing the peaceful possession of the petitioners in respect of such property. They had been threatening and intimidating the petitioners. The petitioners were constrained to file a civil suit. By an order dated 29.03.2023 passed by the learned Civil Judge, Sr. Division, Bishnupur, an interim order of injunction was granted directing both the parties to maintain status quo. Since the private respondents were trying to build a road on the petitioners' land, the petitioner filed an application under Section 151 of the Code of Civil Procedure. By an order dated 10.04.2023, the Officer in Charge of Joypur Police Station was directed to

implement the order dated 29.03.2023.

Learned counsel appearing on behalf of the private respondents submits as follows. The allegations made in the writ petition are denied. There is no violation of the order passed by the learned Civil Court. In fact, the order was upon both the parties to maintain status quo and the same is being maintained.

It appears that a civil dispute exists between the private parties. An interim order of injunction was granted, however, of maintaining status quo upon both the parties.

If any of the parties are seeking any further relief in respect of the such property, they shall be at liberty to do the same before the learned Civil Court.

However, the local police authorities shall keep a strict vigil at the locale and ensure that no breach of peace takes place and see to it that no order of a Civil Court is violated.

If any of the parties apprehend any breach of peace, they shall be at liberty to approach the Officer in Charge of the local Police Station who shall act in accordance with law.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)