

13.04.2023
Item No.1
Ct. No.1
PG/KS

M.A.T.1033 of 2022
With
I.A. No. CAN 1 of 2022

Golam Haydar
Vs.
The State of West Bengal & Ors.

Mr. Dilip Kumar Das
Mr. Debasish Sur
.....For the Appellant
Ms. Jayeeta Sinha
Mr. Sandip Mandal
.....For the State

1. This intra Court appeal by the writ petitioner is directed against the order dated 2nd May, 2022 in W.P.A. No.2121 of 2022. The said writ petition was filed by the appellant alleging that in spite of the order passed by the learned Civil Court, there is inaction on the part of the police and the direction was sought for to the respondents nos.1 to 3 to give security to the writ petitioner to enable the appellant/petitioner to enter into the property and remove the sand stones and brick stones from the property as per the order passed by the learned Civil Court.
2. The learned Writ Court after considering the submissions made on behalf of the 3rd respondent/police has recorded that the police

has strictly complied with the Civil Court's order and a further report in this regard was submitted to the learned Civil Court.

3. The grievance of the appellant before the Writ Court was that the private respondents are still continuing to violate the order of *status quo* passed by the learned Civil Court.
4. In that view of the matter, the learned Writ Court directed the appellant to bring the matter to the notice of the learned Civil Court about violation of its order by way of a formal application and the application was directed to be disposed of. There is also a direction to the Salar Police Station to continue to comply with any order that may be passed by the learned Civil Court.
5. Thus, we find that the order and direction issued by the learned Writ Court sufficiently takes care of the situation and protects the interest of the appellant and nothing more is required in the matter.
6. Accordingly, the appeal fails and is dismissed.
7. There shall be no order as to costs.

8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S. SIVAGNANAM)
ACTING CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)