

16.03.2023
Court No.13
Item No.12
AP

WPA 17837 of 2022

**Knondekar Asraf Hossain and Anr.
Vs.
The State of West Bengal and Ors.**

Ms. Rita Patra
Ms. P. Das
Ms. Molly Saha

... For the petitioners.

Mr. Ansar Mandal
Ms. Sipra Mazumder

... For the State.

Mr. S. Ganguly
Mr. Lalratan Mandal
Mr. Dilip Kumar Sadhu

... For the Respondent Nos.4 & 5.

The order dated 10.01.2023 is mentioned for correction.

In the third line of the second paragraph of the first page of the said order, the expression “T.S. 95 of 2022” shall stand corrected and be read as “T.S. 95 of 2020”.

In the fourth and fifth line of the third paragraph of the first page of the said order, the expression “T.S. No. 95 of 2022” shall stand corrected and be read as “T.S. 95 of 2020”.

Let the aforesaid correction be incorporated in the order dated 10.01.2023.

The other parts of the order dated 10.01.2023 shall remain unaltered.

The petitioners claim that the private respondents threaten and intimidate him to cause injury to his life and limb.

Admittedly, there is civil suit pending between the petitioner and the private respondents. There is an order of status quo, which continues in TS No.95 of 2020. There are other civil suits as well. In the civil suit the petitioners enjoy an order of status quo until disposal of the suit.

The private respondents submit that they are in possession of the property.

This is denied by the writ petitioners. It is submitted that the writ petitioners are in possession of the property.

These are not the matters to be decided by the police or a writ Court. The petitioner may establish any of their rights or compliant of violation of any orders in the pending civil suit.

Bhatar Police Station shall, however, ensure that there is absolutely no breach of peace in the area and strictly implement any order that may be passed by the civil Court.

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

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)