

28 08.09.2023
NB Ct. 14

WPA 19593 of 2023

Ajuda Bibi & Anr.
Vs.
The State of West Bengal & Ors.

Md. Younush Mondal.
...for the petitioners.

Mr. Ansar Mondal Sr. Adv.
Mr. Asish Dutta.
....for the State.

Mr. Partha Sarathi Basu.
...for the respondent nos.4, 5 &6..

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

Report filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the owners of the property in question. After obtaining a sanctioned plan, they want to build a house. The private respondents are now disturbing their possession. They have threatened and intimidated the petitioners. No steps have been taken by the police authorities. A civil suit has been filed in this regard and an order of status quo was granted.

Learned counsel appearing on behalf of the private respondents submits as follows. The allegations made in the writ petition are denied. The private respondents are also co-sharers in his property in question.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. A civil suit is pending

between the private parties. However, the State authorities have already initiated a proceeding under Section 107 of the Code and are keeping a close watch on the situation.

It appears that there is a civil dispute pending between the parties and an order of status quo was granted.

Let there be no violation of the said order. The State respondents shall also keep a vigil at the locale and ensure that no breach of peace takes place.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)