

October 18, 2023
AD 36
Court No.14
SG

WPA 21877 of 2023

Soni Begum
vs.
The State of West Bengal and others

Mr. S.S. Arefin
Ms. N. Abedin

... for the petitioner

Mr. Sujoy Mondal
Mr. Saikat Sen

... for the State

Affidavit of service filed in Court is taken on record.

Despite service no one appears on behalf of the private respondent.

Report filed by the State is also taken on record.

Learned advocate for the petitioner submits as follows. The petitioner is the owner of the land in question. The private respondent had been trying to disturb the possession of the petitioner in respect of such property. This prompted the petitioner to approach the civil court. By an order dated 02.06.2023 passed by the learned Civil Judge, Junior Division, First Court, Sealdah in T.S. No.146 of 2022, both parties were directed to maintain status quo in respect of the said property. However, the private respondents were violating the same and put a padlock at the main entrance of the said property. Police help was sought, but was denied.

Learned advocate for the State relies on the report and submits as follows. There is a civil dispute pending

between the private parties. A proceeding was initiated under Section 144 of the Code.

It appears that a civil dispute is pending between the parties.

If any further relief is sought by any of the parties, the same has to be done before the competent civil court.

Putting a padlock on someone's property is only a mischievous act and cannot amount to taking possession.

The police authorities shall make necessary inquiry and ensure that neither any breach of peace takes place nor any order of a civil court is violated.

With these observations, the writ petition is disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

[Jay Sengupta, J.]