

M/L 15
04.12.2023
Court No.14
SD

WPA 22557 of 2023

Haidar Ali Sekh
Vs.
The State of West Bengal & Ors.

Mr. Sarbananda Sanyal

...for the Petitioner.

Mr. Jayanta Samanta
Ms. Indu Mouli Banerjee

...for the State.

Mr. Sandip Kundu

...for the Respondent Nos.6-9.

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

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of the property in question. The private respondents are disturbing possession and enjoyment of the property by the petitioner. In the civil suit filed by the petitioner, an order of status quo has been granted.

Learned counsel appearing on behalf of the private respondents submits as follows. The allegations made in the writ petition are denied. The property in question is recorded as “playground” in the record of rights. In any event, the private respondents are not disturbing anyone’s possession in respect of the suit property.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. Enquiry does not

reveal any further encroachment of the property in question. The police, however, are keeping close watch in the developments in the locality.

The private respondents have submitted that they are not disturbing anyone's possession in the property in question.

If any of the parties wants to establish any further right in respect of the said property, the same has to be done before a civil court.

Therefore, no further order need to be passed in this regard.

The police authorities shall keep a sharp vigil at the locale and ensure that no breach of peace takes place.

With these observations, WPA 22557 of 2023 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.)