

10.05.2023
Court No.13
Item No.363
pk

WPA 23181 of 2022

**Noor Islam Sekh @ Nazrul Sekh
Vs.
The State of West Bengal and Ors.**

Mr. Sarbananda Sanyal,
Ms. Poulomi Chakraborty
... For the Petitioner

Mr. Uday Sankar Chatterjee,
Mr. Suman Sankar Chatterjee,
Mr. Trish Rakshit
... For the private respondent.

1. The writ petitioner complains that the private respondent is illegally filling up the pond belonging to the petitioner.

2. Counsel for the private respondent denies the allegation of the petitioner.

3. This Court is of the view that the petitioner's remedy is either before a Civil Court or under the concerned statute.

4. There is admittedly a civil suit between the parties being T. S. No. 193 of 2022 in which an order of status quo dated 04.04.2023 has been passed by the learned Civil Judge (Junior Division), 2nd Court, Katwa.

5. The parties shall strictly abide by the order of the status quo passed by the Civil Court.

6. The Ketugram Police Station shall ensure that there is no breach of peace in the area.

7. The writ petition is disposed of.
8. There will be no order as to costs.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)