

01.12.2023
Sl. No. 33.
D/L.
Mithun
Ct.No.14.

WPA 23301 of 2023

**Uma Mondal Roy & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Sajal Kumar Ghosh
..for the petitioners.

Mr.Ansar Mandal,
Md.Iddrish
...for the State.

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

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

Despite service, the private respondent is not
represented.

Learned Counsel appearing on behalf of the
petitioner submits as follows. The petitioners are the
owner of the land in question. The private
respondents are disturbing the possession and
enjoyment of the property of the present petitioners.
The petitioners were constrained to file a civil suit in
which an order of status quo was granted. Despite
this, the private respondents are continuing with the

illegal activities. This was brought to the notice of the police authority, but no steps were taken.

Learned Counsel on behalf of the State respondents denies any police inaction. This is a purely civil dispute between the co-sharers of the properties. There is no restraining order passed by any Court. However, the police have diarised the petitioners' complaint and are keeping a close watch on the developments in the locality.

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

If any of the parties want to seek any further relief in respect of the same, it has to be done before the Civil Court.

However, the police authority shall keep vigil at the locale, ensuring that no breach of peace takes place and see to it that no order of civil court is violated.

With the above observations, the instant writ petition being WPA 23301 of 2023 is disposed of.

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

(Jay Sengupta, J.)