

21.12.2023
Sl. No.28(DL)
srm

C.O. No. 4247 of 2023

Badsha Sekh

Versus

Menora Bibi & Anr.

Mr. Gautam Banerjee

...for the Petitioner.

The revisional application arises out of an order dated October 5, 2023 passed by the learned Civil Judge (Junior Division), 1st Court at Kandi, Murshidabad, in Title Suit No.241 of 2022.

By the order impugned, the learned court below rejected an application under Section 151 of the Code of Civil Procedure. The petitioner prayed for police help so that the petitioner can cultivate on the suit property.

The learned court was of the view that an order of *status quo* had been passed and an order of police help had also been passed for implementation of the order of *status quo*. Yet, when there was no order allowing the petitioner to cultivate on the said land, the question of police help to allow cultivation would not arise.

This Court does not find any illegality in the order impugned. However, if it is Mr. Banerjee's case that his client

was entitled to cultivate, then the petitioner/plaintiff ought to have approached the learned court seeking modification of the order of *status quo*. This was not done.

The revisional application is, thus, disposed of.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)