

March 8, 2024
AD 8
Ct. No.14
SG

WPA 3408 of 2024
with
CAN 1 of 2024

Asmat Ali Sekh
vs.
The State of West Bengal and others

Mr. Robiul Islam
Mr. Sk. Jayed Hossain
Mr. Raju Mondal
... for the petitioner.

Mr. Wasim Ahmed
Mr. Sk. Md. Masud
... for the State.

Ms. Karabi Roy
... for the respondent Nos.6-12.

Mr. K.M. Hossain
Mr. Kazi Ardan Ali
... for the applicant.

Report filed by the State is taken on record.

Learned advocate for the petitioner submits as follows. The petitioner is the owner of the property in question. The property has four rooms with tenants. The private respondents are rank outsiders who are disturbing the possession of such property. They owe allegiance to the present ruling political dispensation. The civil court passed an order of status quo against the defendant No.1 in respect of such property. Despite this the police have not rendered adequate help.

Learned advocate for the private respondents denies the allegations and submits that the respondent

No.6 is one of the co-sharers in the property and is in possession of at least one shop room. In fact, the petitioner had filed a partition suit against the respondent No.6 and another which is pending.

Learned advocate for the intervenor submits that they are tenants of the petitioner and are being harassed by the private respondents.

Learned advocate for the State relies on the report and submits as follows. There is a civil dispute pending between the petitioner and the respondent No.6 and another. However, on the complaints of the petitioner and her mother, FIRs have been registered. A case and a counter-case have been started from both sides. The police are keeping a close watch on the developments in the locality.

It appears that there is a partition suit pending between the petitioner and the respondent No.6 and another. It further appears that the civil court had passed an order of status quo against the defendant No.1.

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

The police authorities shall keep a sharp vigil at the locale, ensure that no breach of peace takes place and see to it that no order of a civil court is violated.

With these observations, the writ petition is disposed of.

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

Parties shall act on a server copy downloaded from the official website of this Court.

[Jay Sengupta, J.]