

16 01.04.2024
NB Ct. 14

WPA 7239 of 2024

Alpana Safui & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Dyutiman Banerjee,
Mr. Vishal Mallik.
...for the petitioners.

Mr. Swapan Banerjee,
Ms. Sumita Shaw.
...for the State.

Ms. Sudeshna Basu Thakur,
Ms. Banani Bhattacharyya.
...for the respondent nos.4,5,7&9.

Learned counsel appearing on behalf of the petitioners submits as follows. The private respondents are members of a club who have forcibly and illegally occupied a portion of the property. A civil dispute is pending in this regard. However, the private respondents are creating further disturbances.

Learned counsel appearing on behalf of the private respondent nos.4, 5, 7 and 9 denies the allegations and submits that the matter is under adjudication before the civil Court. However, the private respondents have not and will not disturb peace in the area.

Learned counsel appearing on behalf of the State relies on the report and submits that a civil dispute exists between the private parties. The learned civil Court has granted an order of status quo. The police are keeping a close watch on the developments in the locality.

It appears that there is a civil dispute pending between the private parties.

It also appears that upon a suit filed by the petitioners, the civil Court has granted an order of status quo.

If any of the parties wants to establish any further right in respect of the property, the same has to be done before a competent civil Court and not by use of brute force.

However, 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.

No further order need be passed in this regard.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)