

25.11.2024
Item No.30
Ct. No.35
dc.

W.P.A. 7991 of 2024

Alam Sk.
versus
The State of West Bengal & Ors.

Mr. Srikanta Datta,
Mr. Prodyot Kumar Ray ... For the Petitioner.

Mr. Suman Sengupta,
Mr. Dwaipayan Basu Mallick ... For the State.

Mr. Omar Faruk Gazi,
Md. Mushehuddin,
Ms. Susmita Das ... For the private Respondents.

Affidavit-of-service filed in Court today be
kept with the record.

Petitioner is aggrieved by the fact that his
enjoyment in respect of the property which he has
purchased is being jeopardized at the behest of the
private respondent nos. 5 to 9.

Learned advocate appearing for the private
respondents disputes and denies such contentions
of the petitioners both regarding the issues relating
to harassment as well as relating to title of the
property belonging to the petitioner.

Mr. Sengupta, learned advocate appearing for
the State contends that the police authorities have
put in efforts for maintaining law and order and
proceedings have been drawn up under Section 107
of the Code of Criminal Procedure.

Having regard to the submissions made by
the State and the nature of dispute existing, I direct
that so far as the right, title and interest of the

property is concerned, the same would be consideration of the jurisdictional civil court or its higher forum. So far as this Court is concerned, this Court directs the police authorities to keep a strict vigil and ensure that no breach of peace and/or tranquility takes place in respect of the subject property referred to in the writ petition and also take into account that no untoward incident takes place as the petitioner and the private respondents are presently at loggerhead.

With the aforesaid observations, the writ petition being WPA 7991 of 2024 is disposed of.

There shall be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)