

M/L 537
11.12.2024
Kausik
ct.no.35

W.P.A. 9034 of 2024

**Mahmud Anwar Sarkar & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Gazi Faruque Hossain
Ms. V. Roy

...for the petitioner.

Mr. Suman Sengupta
Mr. Sanatan Panja
Ms. A. Panja Moulick

...for the state.

Affidavit of service so filed be kept with the record.

Petitioner complains that inspite of orders passed by the civil court in TS 187/2019, the private respondents are trying to disturb the peaceful enjoyment of the property.

Learned advocate for the state submits that the dispute between the petitioner and the private respondents are absolutely civil in nature and police authorities have no role to play.

Learned advocate for the respondent no. 4 is present and submits that the respondent no. 4 happens to be a bargadar.

Having considered that the civil court is in seisin of Title Suit No. 187/2019, I direct that the

petitioner would be at liberty to take out an appropriate application for implementation of the order of injunction.

In case any direction is passed for police assistance and/or police protection, the police authorities would be bound by the said order.

In the meantime, as the petitioner and the private respondents are at loggerhead, police authorities would ensure that no breach of the peace or tranquility takes place or any untoward incident crops up.

With the aforesaid observations WPA 9034 of 2024 is disposed of.

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

(Tirthankar Ghosh, J.)