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18.11.2024
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ct.no.35

W.P.A.9242 of 2023

**Rafikul Islam Mondal & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Joyjit Roy Choudhury.
...for the petitioners.
Mr. Shamim ul Bari.
...for the State-respondents.

Affidavit of service filed by the petitioners be kept with the record.

Petitioners submit that in spite of the civil court passing specific direction in T.S.121 of 2027 directing the Officer-in-Charge, Ashoknagar Police Station for taking necessary steps in its order dated 18th August, 2022, but till date, the status quo order has been violated.

Report has been submitted by the learned advocate appearing for the State wherein it reflects that the order was communicated to the private respondents by the police authorities and along with the same it has been pointed out that an enquiry was conducted pursuant to which it transpired that the private respondents also instituted T.S. No.988 of 2022. It reflects from the report that a prayer was submitted before the learned court for amalgamation of both the suits being T.S.121 of 2017 and T.S.988 of 2022.

In view of the petitioners and the private respondents both having instituted title suits and are before the court of the learned Civil Judge (Senior Division), 1st Court, Barasat, this Court refrains from passing any specific direction. However, the police authorities would keep a strict vigil and ensure that no breach of the peace takes place or any untoward incident stems out as the petitioners and the private respondents are at loggerhead in respect of the subject property-in-dispute.

With the aforesaid observations, WPA 9242 of 2023 is disposed of.

There will be no order as to costs.

Report so submitted by the learned advocate appearing for the State be kept with the record.

A copy of the report be handed over to the learned advocate appearing on behalf of the petitioners.

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

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

(Tirthankar Ghosh, J.)