

11.07.2024
Ct. No. 14
Sl. No.19
AGM

**In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA 11855 of 2024

**Badsha Saikh
Vs.
The State of West Bengal & Ors.**

Mr. Sudarshan Ghosh.
... For the petitioner.

Mr. Amitesh Banerjee. Sr. Standing Counsel
Mr. Tarak Karan.
... For the State.

Mr. Manas Kumar Das.
Mr. Aritra Kumar Thokdar.
... for the private respondents.

The facts of the instant case are succinctly mentioned in the order dated 28th August, 2023 passed by a co-ordinate Bench of this Court in WPA 20082 of 2023 filed by the petitioner.

The Court was apprised of the fact that a civil dispute is pending between the private parties and an order of status quo was passed by the learned Civil Court.

The petitioner was also granted leave for police help under Section 151 of the Code. The Court directed the police to ensure that no breach of peace takes place and the order of the Civil Court is not violated.

The petitioner complaints that violating the order passed by the learned Civil Court, the private respondents are cultivating the land in question.

Complaint was lodged before the police and it is submitted that no action has been taken in response thereto.

Learned advocate representing the private respondents denies the allegation of the petitioner. It has been submitted that the petitioner filed application for modification of the order of injunction, which stood rejected.

The Officer-in-Charge, Bharatpur PS has forwarded a report signed on 28th April, 2024 mentioning that to maintain peace in the locale prosecution under Section 107 Cr.P.C. vide NCR No. 204/2024 dated 22.03.2023 has been submitted against both the parties.

From the submission made on behalf of the parties and upon perusal of the materials on record, it appears that the petitioner already filed an earlier writ petition seeking execution of the order passed by the learned Civil Court. The earlier writ petition was disposed of by passing necessary order.

The parties are directed to act strictly in accordance with the direction passed by the Court on 28th August, 2023 in WPA 20082 of 2023.

The writ petition stands **disposed of**.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)