

Item No.20

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

12.07.2024
Ct-14
AGM

WPA 15963 of 2024

Smt. Jhuma Rani Das
v.
The State of West Bengal & Ors.

Mr. Aswini Kumar Bera.
Mr. Arijit Beral
... for the petitioner.

Mr. Wasim Ahmed.
Mr. Snehabuddin.
... for the State.

Mr. Sukanta Das.
...For the private respondent no. 6.

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

The petitioner claims to be the owner of six
decimals of land in dag no. 271. A Title Suit has been
filed by the petitioner being TS - 07 of 2015 wherein an
order has been passed by the learned Civil Judge (Junior
Division), 2nd Court, Paschim Medinipore directing the
parties to maintain status quo as regards the said six
decimals of land.

The petitioner complains that the private
respondent is forcefully raising construction over the
said plot of land. Complaint was lodged before the police
but no action is reported to be taken.

Learned advocate representing the private respondent denies the allegation of the petitioner. It has been submitted that the private respondent is raising construction over his own plot of land and is not encroaching the land of the petitioner.

Learned advocate representing the State respondents submits, upon instruction from the report of the Officer-in-Charge, Kharagpur Local PS dated 11th July, 2024 that, to maintain proper law and order prosecution under Section 107 Cr.P.C. has been submitted against all the opposite party members vide Kharagpur Local PS NCR No. 589 of 2024 dated 9th June, 2024.

It appears from the submission made on behalf of both the parties and upon perusal of the materials on records that; the dispute is with regard to a property which both parties claim to be theirs. A suit is pending consideration before the learned Civil Court. Order has been passed by the learned Civil Court directing the parties to maintain status quo.

The police are directed to ensure that the order passed by the learned Civil Court is strictly followed and not violated by any party whatsoever.

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.)