

Sl.No.
53 23.09.2024
Court
No. 35
G.S.Das

WPA 17741 of 2024

Badal Mondal
-Vs-
The State of West Bengal & Ors.

Mr. Swarup Paul
Mr. Guru Saday Dutta
... for the petitioner

Mr. S. Dasgupta
Mr. Bikramjit Mandal
... for the respondent nos. 5

Mr. Jayanta Samanta, Jr. Govt. Adv.
Mr. Tapas Ballav Mondal
... for the State-respondent

The petitioner is aggrieved by the fact that in spite of the order being passed by the learned Civil Court in T.S. 538 of 2014 on 29.06.2024, which reflects that both the parties were directed to maintain an order of status quo as regards nature, character, possession and alienation of the suit property till disposal of the suit, the said order is not being honoured by the private-respondents and they are, till date, proceeding with the

illegal constructions.

The same is denied by the learned advocate appearing for the private respondent no.5.

Learned advocate submits that the learned Civil Court is already *in seisin* of the matter and the order dated 29.06.2024 has been challenged in an appeal by the respondent no.5, which is still pending.

Learned advocate for the State is present.

Accordingly, I direct that as the matter relates to a public policy and, since there is an order of status quo, the police authorities would see to that the order of the court is accepted by both the parties.

However, this order will not be construed from creating any right, title and interest in respect of any of the parties is

concerned.

Till the appeal court passes an order which is in consonance and/or alters the order dated 29.06.2024 passed by the learned Civil Judge (Senior Division), Serampore in T.S. 538 of 2014, the police authorities would ensure that the said order dated 29.06.2024 is not violated.

With the aforesaid observations, WPA 17741 of 2024 is **disposed of**.

Pending application, if any, is also disposed.

Affidavit-of-service so filed be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of

this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)