

23.09.2024

Item No.81

Ct. No.35

dc.

W.P.A. 19123 of 2024

**Gobinda Prasad Adhikary
@ Gobinda Adhikary & Anr.
versus
The State of West Bengal & Ors.**

Mr. Anil Kumar Chattopadhyay,
Ms. Mitali Mondal ... For the Petitioners.

Mr. Amal Kumar Sen,
Mr. Lalmohan Basu ... For the State.

Md. Sabir Ahmed,
Mr. Shraman Sarkar,
Mr. Dhiman Banerjee
... For the Respondent Nos. 5 to 15.

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

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

Learned advocate appearing for the
petitioners is aggrieved because of the renovation
work of the temple being restrained by the private
respondents. The petitioners further allege that
they are restrained to carry out their activity as
Shebait.

Learned advocate appearing for the private
respondent nos. 5 to 15 draws the attention of the
Court to a report that the BL&LRO has struck
down the name of the petitioner as 'Shebait'.

This Court will not enter into the zone
whether the petitioner or the private respondent
has the right over the temple. The same is for the
civil court to decide. In view of the report so

submitted on behalf of the State, I direct the police authorities to ensure that no breach of peace should take place at the locale and preventive measures be taken by the police authorities, if required or complained of.

With the aforesaid observations, the writ petition being WPA 19123 of 2024 is disposed of.

Pending connected application, if any, is consequently disposed of.

There shall be no order as to costs.

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

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

(Tirthankar Ghosh, J.)