

D/L 134
25.09.2024
Kausik
ct.no.35

W.P.A.19739 of 2024

**Sk Hasan Jahangir
Versus
State of West Bengal and others**

Mr. Md. Majnu Sk
Ms. Nibedita Chakraborty

...for the petitioner.

Mr. Abdul Salam

...for the respondent nos. 6,7
and 8 (private respondent).

Mr. Susovan Sengupta
Mr. Subir Pal

...for the state.

Affidavit of service so filed by the petitioner be kept with the record. Report submitted by the State be also kept with the record. Report reflects that a title suit being T.S. No. 352 of 2022 is pending before the learned Civil Judge Senior Division, Bardhaman. Police authorities on receipt of the complaint has already drawn a proceeding under Section 126/135(3) of the BNSS vide Bhatar PS NCR no. 316/2024 dated 12.08.2024. Learned advocate for the petitioner complains that after obtaining

permission from the Panchayat he had been constructing and plastering the property. On the other hand learned advocate for the private respondent complains that it is an undivided property and they are trying to encroach the property. The facts are wholly to be decided by the civil court.

Accordingly this Court restricts its direction to the limited extent that the Officer-in-Charge would ensure that a strict vigil be kept so that no dispute erupts or there is any disturbance of law and order in respect of the subject matter of the property referred to in the writ petition.

With the aforesaid observations WPA 19739 of 2024 is disposed of.

Pending applications if any are disposed of.

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

(Tirthankar Ghosh, J.)