

04.10.2024
Item No.78
Ct. No. 35
PG/KS

W.P.A. 19983 of 2024
Abdul Hakim Molla & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Gautam Banerjee
Mr. Sandip Kr. Mondal
Mr. Sumit Routh
Ms. Priya Dey

.....For the Petitioners

Mr. Biswabrata Basu Mallick, Ld. A.G.P.
Mr. Biman Halder

.....For the State

Mr. Imtiaz Ahmed
Mr. Mahesh Joshi
Mr. Kajal Kumar Dutta
Mr. Sandip Joshi

.....For the Respondent Nos.5 to 8

1. Learned advocates for the petitioner, respondent nos.5 to 8 and State are present.
2. Mr. Biswabrata Basu Mallick, learned advocates appears on behalf of the State. His engagement may be regularized by the concerned authorities.
3. The grievance of the petitioner is that in spite of a decree being obtained, the petitioner is unable to implement the finality in the decree.
4. Petitioner, in such circumstances, for execution of the said decree should approach the regular Civil Court. I find that the police authorities in respect of the violations have already registered a case being,

Mateabruz Police Station Case No.108 dated 27th July, 2024. The police authorities will take the case to its logical conclusion. So far as the law and order situation in respect of the person in possession or construction of the boundary wall, if any, is concerned, without any appropriate permission, the police authorities will abide by the law and will not stretch to such an extent that there is any violation of the law and order situation over such disputes, which should be decided by the Civil Court. Strict vigil be kept at the locale and there should not be any breach of peace and tranquility at the locale relating to the subject property referred to in the writ petition.

5. With the aforesaid directions, W.P.A. 19983 of 2024 stands disposed of.
6. Pending application, if any, is consequently disposed of.
7. All parties shall act on the server copy of this order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)