

D/L 123
01.10.2024
Kausik
ct.no.35

W.P.A. 20264 of 2024

**Dilip Mallick and Ors.
Versus
State of West Bengal and Ors.**

Mr. D. Banerjee
Mr. Sk. Md. Giasuddin
Mr. Vishal Mallick

...for the petitioner.

Mr. Pantu Deb Roy, AGP
Mr. Pannalal Bandyopadhyay

...for the state.

Affidavit of service so filed on behalf of the
petitioner be kept with the record.

Report so submitted on behalf of the State be
also kept with the record.

Learned advocate appearing for the petitioner
has drawn the attention of the court to the order
dated 22.12.2022 passed in Title Suit No. 1755 of
2022 wherein the learned Civil Judge, Junior
Division, First Court, Howrah was pleased to direct
that the peaceful possession of the present petitioner
should not be disturbed by the private respondents.

Be that as it may the dispute is civil in nature and there was a further direction on 19.05.2023 by the same civil court upon the Officer-in-Charge, Panchla Police Station.

Having considered the submissions so advanced by the petitioner as well as the State I direct that without due process of law no disturbance relating to possession of the petitioner be created. Police authorities would respect and honour the order of the civil court which is a matter of public policy and there should not be any breach of peace and tranquility at the locale related to the subject property referred to in the writ petition.

With the aforesaid observations WPA 20264 of 2024 is disposed of. Pending applications if any are consequently 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.)