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18.11.2024
Bpg.
ct.no.35

W.P.A.20564 of 2024

**Nayan Saha
Versus
The State of West Bengal & Ors.**

Mr. Mukunda Lal Sarkar.
...for the petitioner.

Mr. Ayan Ch. Ray
Mr. Anirban Datta.
...for the State-respondents.

Mr. Manas Kumar Das.
...for the respondent nos.8 and 9.

Petitioner is aggrieved by the order dated 13.09.2021 passed in P.S. Case No.332 of 2021 wherein the learned Civil Judge (Senior Division), Kandi, Murshidabad has passed a direction to construct a dwelling house. As the civil court is in seisin of the issue concerned and has passed its necessary order, it would be incumbent upon the petitioner to approach the said civil court so that its order is obeyed and respected by the police authorities.

In case the petitioner approaches the civil court for police protection and assistance in respect of the purpose for which the order dated 13.09.2021 has been passed, the concerned civil court will dispose of

such application after serving the necessary parties preferably within a period of 60 days.

Police authorities would ensure that the direction passed by the civil court is adhered to in true spirit and there is no further violation complained of at the behest of the petitioner. In the meantime, as the parties after amicable settlement presently are at loggerhead, police authorities would keep a strict vigil and ensure that no breach of peace or tranquility takes place at the locale.

With the aforesaid observations, WPA 20564 of 2024 is disposed of.

There will be no order as to costs.

Supplementary affidavit so filed by the petitioner be kept with the record.

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

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

(Tirthankar Ghosh, J.)