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26.09.2024
KC

WPA 21906 of 2024

Shampanani Ghosh
Vs.
The State of West Bengal & Ors.

Ms. Ipsita Ghosh
... for the petitioner.

Mr. Debnath Ganguly
Mr. Supriyo Dutta
... for the private respondent.

Mr. Suman Ghosh
Mr. Sankha Prasad Roy
... for the State.

Affidavit of service filed in Court is taken on
record.

Learned advocate appearing for the petitioner
submits that in spite of the fact that a complaint has been
lodged with the Inspector-in-Charge, Bagnan Police Station
through a learned advocate's letter dated August 12, 2024, no
steps have been taken by the police authority.

Learned advocate for the private respondents
submits that a civil suit is pending between the petitioner, the
private respondent and one Pradip Ghosh. Record reveals that
the learned Civil Judge. Senior Division, Uluberia, Howrah in
T.S. No. 188 of 2022 passed an order directing the plaintiff

i.e. Sanjoy Ghosh and the defendant no. 1 namely Sanjib Ghosh to maintain status quo ante with regard to the possession, nature and character of 'A' schedule property till January 20, 2023.

Learned advocate for the private respondents further submits that the said order of injunction has been extended from time to time and the same is still in force.

Learned advocate for the State files a report of the Inspector-in-Charge, Bagnan Police Station dated September 12, 2024, which is taken on record. It appears from the said report that on the basis of a complaint lodged by Sanjoy Ghosh, Bagnan Police Station Case No. 449 of 2024 dated August 21, 2024 under Sections 223/351(3) BNS and Section 4D of the West Bengal Land Reforms Act has been initiated. It further appears from the said report that the investigation is in progress.

Since the Civil Suit is pending between the parties and the police authorities have taken steps on the basis of a complaint lodged by one of the parties, this Court is of the considered view that no direction is required to be passed upon the police authorities at this stage.

At this stage, the learned advocate for the State

submits that the police is keeping strict vigil and they are taking steps to maintain peace and tranquility at the said locale.

With the above observations and directions, the writ petition stands disposed of leaving the petitioner free to approach the Civil Court in case there is any violation of the order of injunction.

There shall, however, be no order as to costs.

(Hiranmay Bhattacharyya, J.)