

D/L.44.
September 26, 2024.
MNS.

WPA No. 21885 of 2024

Sri Shital Show
Vs.
The State of West Bengal and others

Mr. Sreyash Basu Dasgupta

... for the petitioner.

Mr. Amitesh Banerjee,
Mr. Akash Dutta

...for the State.

The learned Advocate appearing for the petitioner submits that the private respondent herein is creating disturbances in the petitioner's peaceful possession of the property in spite of subsistence of an order of injunction passed by the learned Civil Judge (Junior Division), 3rd Court at Howrah, in Title Suit No. 449 of 2020.

On query of this court, the learned Advocate appearing for the petitioner submits that the application for temporary injunction is still pending and the order passed by the learned Trial Judge on 4th July, 2020 is being extended from time to time and the same is still in subsistence.

Affidavit-of-service filed in Court today is taken on record. The learned Advocate appearing for the petitioner submits that the respondents have been duly served. Despite service, none

appears for the private respondent, although the State is represented.

The petitioner has not annexed any copy of the complaint given to the police authorities praying for implementation of the order of injunction.

The learned Advocate appearing for the State submits that pursuant to an approach made by the petitioner, the police authorities have taken steps and are maintaining the peace and tranquility at the locale.

Be that as it may, since the civil court is in *seisin* over the *inter se* disputes between the private parties pertaining to an immoveable property, the writ petition is disposed of by giving liberty to the petitioner to approach the civil court for appropriate reliefs.

With the aforesaid observations and directions, the writ petition stands disposed of.

There will be no order as to costs.

Photostat certified copy of this order, if applied for, be given to the parties.

(Hiranmay Bhattacharyya, J.)