

D/L.63.
October 1, 2024.
MNS.

WPA No. 22840 of 2024

Md. Motaleb Molla
Vs.
State of West Bengal and others

Mr. Mohinoor Rahaman,
Ms. Maria Rahaman,
Ms. Iqra Rahaman

... for the petitioner.

Mr. Asish Kumar Guha,
Mr. Naren Ghosh Dastidar

...for the State.

Affidavit-of-service filed by the petitioner is taken on record. The learned Advocate appearing for the petitioner submits that the private respondents have been duly served. Despite service, none appears on behalf of the private respondents.

The learned Advocate appearing for the petitioner argues that the petitioner is a co-sharer in respect of an immoveable property. A suit for partition, being Title Suit No. 117 of 2024, is pending before the learned Civil Judge (Senior Division) at Basirhat, District North 24 Parganas, and an order of *status quo* with regard to the nature, character and joint possession of the said property was passed for a specific period.

On query of court, the learned Advocate appearing for the petitioner submits that the said

ad interim *status quo* order has been extended from time to time and the same is still in force. The learned Advocate appearing for the petitioner also submits that the private respondents herein are creating disturbances in the joint possession of the petitioner in respect of the property-in-question.

The learned Advocate appearing for the State submits that steps have been taken by the police authorities to maintain peace and tranquility at the locale.

Such submission of the learned Advocate appearing for the State is placed on record.

The report of the Inspector-in-Charge of Basirhat Police Station dated September 18, 2024 filed by the learned Advocate appearing for the State is taken on record.

In the event, the petitioner alleges that the order of *status quo* with regard to the joint possession is being violated, it will be open to the petitioner to approach the civil court for appropriate reliefs in accordance with law.

However, it is the duty of the police authorities to maintain peace and tranquility at the locale.

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

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

(Hiranmay Bhattacharyya, J.)