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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 23305 of 2024

Smt. Rinku Das Khan
Vs.
The State of West Bengal & Ors.

Mr. Aniruddha Chatterjee,
Mr. Abir Lal Chakravorti
...for the petitioner

Mr. Suman Sengupta,
Mr. Sambuddha Dutta
...for the State

Md. Sarwan Jahan,
...for the private respondents

The learned Advocate for the petitioner submits that the private respondent herein is creating disturbances in the peaceful possession of the petitioner in respect of the property, which is the subject-matter of Title Suit No. 147 of 2020 in spite of subsistence of an order of status quo.

The learned Advocate appearing for the petitioner also submits that a direction should be passed upon the police authorities to implement the order of status quo.

After going through the order dated February 08, 2023 in Title Suit No. 147 of 2020, this Court finds that the learned Civil Judge (Junior Division), 1st Court at Bankura passed an order directing the parties to maintain status quo with regard to the

possession, enjoyment and ownership (not to alienate) and also not to change the nature and character of the schedule mentioned property, till the disposal of the suit.

After going through the said order, this Court finds that the learned Civil Judge while passing an order of status quo did not indicate the status quo that was prevailing as on the date of the passing of the order of status quo.

In view thereof, this Court is not inclined to pass any order directing the police authorities to implement the order of status quo. However, the petitioner is left free to approach the proper forum for appropriate reliefs in accordance with law.

The learned Advocate appearing for the petitioner submits that the police authorities have not taken any steps pursuant to the complaint lodged by the petitioner by letter dated June 13, 2024.

The learned Advocate appearing for the State files a report of the Inspector-in-Charge, Bankura Police Station, dated September 16, 2024. It appears from the said report that there is a complaint and counter-complaint made by the rival parties and the police authorities have registered First Information Reports on the basis of such complaints and charge sheet, vide Bankura P.S. Charge Sheet No. 222/24 dated 31.08.2024 and

Bankura P.S. Charge Sheet No. 148/2024 dated 29.06.2024 has been submitted. Therefore, this Court is of the view that police authorities have taken steps pursuant to the complaint of the petitioner.

However, the Officer-in-Charge, Bankura Sadar Police Station, is directed to see that no breach of peace takes place at the locale.

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

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

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Hiranmay Bhattacharyya, J.)