

D/L.71.
October 4, 2024.
MNS.

WPA No. 23550 of 2024

Mahammad Taymur and another
Vs.
The State of West Bengal and others

Mr. Jagannath Ganguly

... for the petitioners.

Mr. Wasim Ahmed,
Md. Shehabuddin

...for the State.

Mr. Moniruzzaman,
Mr. Jahangir Badsha

...for the respondent nos. 8 and 9.

Affidavit-of-service filed by the petitioners
is taken on record.

The petitioners allege that the private respondents herein are creating disturbances in the peaceful possession of the property of the petitioners in spite of an ad interim order of injunction passed by the learned Civil Court restraining the private respondents herein from disturbing the peaceful possession of the plaintiffs/writ petitioners herein in the suit property.

The learned Advocate appearing for the private respondents submits that the said ad interim order of injunction was vacated and thereafter an order of *status quo* with regard to

nature, character and possession has been passed.

Heard Mr. Ahmed, learned Advocate appearing for the State.

Record reveals that a suit, being Title Suit No. 56 of 2023 is pending before the learned Civil Judge (Junior Division), 2nd Court at Katwa, Purba Bardhaman. On March 13, 2023, the learned Civil Judge passed an ad interim order of injunction restraining the defendants, that is, the private respondents herein from disturbing the peaceful possession of the plaintiffs/writ petitioners herein in the suit property and from raising any construction therein by changing the nature and character of the same and also from alienating the same to third party till next date. It further appears from the record that the learned Civil Judge by Order No. 12 dated August 5, 2024 directed both the parties to maintain *status quo* in respect of nature, character and possession of the suit property till next date as an interim measure. The learned Civil Judge while passing an order of *status quo* did not indicate specifically that the petitioners are in possession of the suit property.

In view thereof, this Court is not inclined to pass any order directing the police authorities to implement the order of *status quo* passed by the

learned Civil Court. However, the police authorities are duty-bound to maintain peace and tranquility at the locale. The Officer-in-Charge of Ketugram Police Station is directed to ensure that no breach of peace takes place at the locale.

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

There will be no order as to costs.

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

(Hiranmay Bhattacharyya, J.)