

14.11.2024
Item No.34
Ct. No.35
dc.

W.P.A. 23893 of 2024

Md. Mahmood Alam
versus
The State of West Bengal & Ors.

Mr. Mujibar Ali Naskar,
Md. Habibur Rahman ... For the Petitioner.

Ms. Jhuma Chakraborty,
Ms. Rupsha Chakraborty ... For the State.

Mr. Upendra Roy,
Ms. Kanchan Roy ... For the Respondent Nos. 4 to 8.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner submits that a status quo order has been passed in S.A. No. 142 of 2005. In spite of the same, illegal construction is being proceeded with at the behest of the private respondents.

State has submitted a report. Steps have been taken by the police authorities in consonance with their powers.

Learned advocate appearing for the private respondent nos. 4 to 8 opposes the contentions advanced by the learned advocate appearing for the petitioner. It is also submitted on behalf of the private respondents that so far as the information furnished on 08.09.2024 to the Officer-in-Charge,

Dalkhola Police Station, *prima facie*, no substance exists in the same.

Learned advocate for the petitioner has submitted that a status quo order has been passed in S.A. 142 of 2005. The petitioner would approach the same court, if there has been violation of the said order. So far as this Court is concerned, no direction can be passed in disputes arising out of civil proceedings. However, the Officer-in-Charge, Dalkhola Police Station is directed to keep a strict vigil and to ensure that no breach of peace and/or tranquility and/or any untoward incident take place at the behest of either of the parties.

With the aforesaid observations, the writ petition being WPA 23893 of 2024 is disposed of.

There shall be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)