

D/L 68
20.11.2024
Kausik
ct.no.35

W.P.A. 25343 of 2024

**Pachu Das
Versus
State of West Bengal & Ors.**

Mr. Saikat Debnath

...for the petitioner.

Mr. Chayan Debnath
Mr. Muhammad Obaid

...for the private respondent nos. 4, 5 & 6.

Mr. Vimal Kumar Shahi, Ld. AGP
Mrs. Pratiti Das

...for the state.

Affidavit of service so filed be kept with the
record.

Petitioner claims that in TS 492 of 2022,
learned Civil Judge (Junior Division), 2nd Court,
Basirhat, 24 Parganas North directed Officer-in-
Charge, Hasnabad Police Station to ensure that the
status quo order dated 20.09.2022 is not violated.
The order dated 20.09.2022 states that the learned
court was pleased to allow the order of injunction in
the nature of status quo so as to preserve and protect
the suit property.

It has been alleged that inspite of the same the private respondents have been constructing and/or cultivating the said property.

Learned advocate for the private respondent submits that they had been cultivating the property since 1982 and there is no construction work in the suit premises.

A court of law has passed an order. So the police authorities are bound to respect the same. The status quo order is for preservation and protection of the suit property. If there has been any violation of the same, police authorities would take appropriate action under the relevant provisions of law and implement the order passed by the civil court.

If there are further alleged violations as complained by the petitioner, the same be brought to the notice of the civil court. The civil court will not deter from passing any order of demolition if any construction has been done after 20.09.2022.

However the respondents will be at liberty to pray for modification, variation, alteration of the order by approaching the civil court in seisin of the matter or before any higher forum having determination.

With the aforesaid observations WPA 25343 of 2024 is disposed of.

Report so submitted be kept with the record.

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

(Tirthankar Ghosh, J.)