

D/L 167
03.12.2024
Kausik
ct.no.35

W.P.A. 25708 of 2024

**Mahasin Ali
Versus
State of West Bengal & Ors.**

Mr. Sayantan Hazra

...for the petitioner.

Mr. M. Alam
Mr. Md. Habibur Rahman

...for the respondent nos. 7 to 16.

Mr. Joydip Banerjee
Mr. Prabir Kr. Ray

...for the state.

Petitioner complains that inspite of order passed by the civil court on 02.08.2024 in Other Suit No. 134/2024 the defendants are creating obstruction upon his property and restraining him from cultivating his land.

Learned advocate for the private respondent appears and submits that the property is a graveyard.

Learned advocate for the state has submitted a report which reflects that Kaliyaganj PS Case No. 324/24 dated 07.08.2024 has been registered for investigation under the relevant provisions of BNS.

As the petitioner has laid his foundation on the order passed by the learned Civil Judge (Junior

Division) Additional Court, Raiganj in Other Suit No. 134/2024, petitioner would be at liberty to approach the said court for police assistance for implementing its order in case such an order is passed, the police authorities would respect and obey the order of the learned Civil Judge (Junior Division) Additional Court, Raiganj.

However, in the meantime police authorities would ensure that there is no breach of the peace or tranquility and no untoward incident takes place because of the inimical relations between the parties.

With the aforesaid observations WPA 25708 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.)