

WPA 26124 of 2023

Sebina Begum
-vs-
The State of West Bengal & ors.

Ms. Tiyaasa Ghosh
..for the petitioner

Mr. Amal Kr. Sen
Ms. Sahina Sumi
...for the State

Copy of the report filed on behalf of the State earlier is handed over to the learned counsel for the petitioner.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of the land in question. The private respondents have been disturbing the possession and enjoyment of the property by the petitioner. A suit filed by the private respondents was dismissed. For this reason, the writ petition filed by the private respondents was also dismissed. The petitioner filed a civil suit in which an interim order of injunction of status quo was granted. Still the private respondents are continuing to disturb the petitioner and prevent him from cultivating the land. This was brought to the notice of the police authorities, but no steps were taken.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. There is a civil dispute

pending between the parties. The injunction order is in the nature of status quo. However, the police are keeping a close watch on the developments in the locality.

It appears that a civil suit is pending between the private parties. The petitioner is also armed with an order of status quo. However, there is no restraining order passed by the Civil Court.

If any of the parties wants to establish any further right in respect of the said property, the same has to be done before the Civil Court and not by use of brute force.

The police authorities shall keep a sharp vigil at the locale, ensure that no breach of peace takes place and see to it that no order of a Civil Court is violated.

With these observations, the writ petition is disposed of.

As affidavits were not called for, allegations are deemed not to have been admitted.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)