

D/L27
26.11.2024
Bpg.
ct.no.35

W.P.A.27532 of 2024

**Monirul Islam
Versus
The State of West Bengal & Ors.**

Mr. Sk. Humayan Reza.
...for the petitioner.

Mr. Ansar Mandal
Mr. Tanweer J. Mandal.
...for the State-respondents.

Mr. Amit Banerjee.
...for the respondent no.5.

Petitioner is aggrieved by the fact that in the land purchased by him, the private respondent no.5 is trying to obstruct the construction of his dwelling house. Petitioner is also aggrieved by the fact that in spite of complaining to the police authorities, the police authorities have taken no steps.

Learned advocate for the private respondent no.5 is present and denies and disputes the contentions raised on behalf of the petitioner.

Learned advocate for the State has submitted a report. Let the report be kept with the record.

Report reflects that Case No.122 of 2022 is pending before the learned Civil Judge (Senior Division), Berhampore Court and status quo order has been passed with regard to the nature and

character of the suit property as well as restraining from making any new construction on the suit property. Police authorities have also drawn up proceedings under Section 126 of the BNSS.

Having considered that the police authorities are well aware regarding the circumstances, I direct that the police authorities would continue to keep a strict vigil and would also ensure that no breach of peace and/or any untoward incident stems out because of the dispute existing between the parties.

With the aforesaid observations, WPA 27532 of 2024 is disposed of.

There will be no order as to costs.

Copy of the report be handed over to the learned advocate appearing for the petitioner as well as the learned advocate appearing for the respondent no.5.

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

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

(Tirthankar Ghosh, J.)