

D/L15
28.11.2024
Bpg.
ct.no.35

W.P.A.27785 of 2024

**Prasanta Kumar Ghosh & Anr.
Versus
State of West Bengal & Ors.**

Mr. Prantick Ghosh
Mr. Prasad Bhattacharyya.
...for the petitioners.

Mr. Rajarshi Basu
Mr. Ananda Dulal Sarkar.
...for the State-respondents.

Mr. Chanchal Kumar Dey.
...for the respondent no.4.

Affidavit-of-service filed by the petitioners be kept with the record.

Petitioners pray before this Court for police assistance as their property is being attempted to be grabbed by the private respondent no.4. Petitioners earlier approached this Hon'ble Court and to that effect, learned advocate appearing for the petitioners has drawn the attention to the order dated 03.10.2023 passed in WPA 21622 of 2023.

Learned advocate for the State contends that the dispute is absolutely private and personal in nature and the civil court is already in seisin of the dispute between the parties.

Report submitted by the State be kept with the record.

Learned advocate for the private respondent no.4 submits that a status quo order has been passed in favour of both the parties.

Until and unless an appropriate application is preferred under the relevant provisions of the Code before the jurisdictional civil court for police assistance in view of the earlier observation made by a co-ordinate Bench that a civil dispute exists between the parties, I am of the opinion that in respect of the property concerned, no directions can be passed by this Court at this stage for asking the police for interference. However, police authorities would keep a strict vigil as earlier directed and ensure that no breach of the peace takes place.

With the aforesaid observations, WPA 27785 of 2024 is disposed of.

There will be no order as to costs.

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.)