

Court No. 35
(265777)

20.12.2024

(AD 10)

(S. Banerjee)

WPA 29314 of 2024

Asit Kamala Trust Estate
Vs.
State of West Bengal & Ors.

Mr. Soumik Ganguly
Mr. Dilip Kumar Sadhu

...for the petitioner

Mr. Swapan Banerjee
Mr. Barun Chatterjee

...for the State

Petitioner is aggrieved by the fact that in spite of the civil Court having passed a status quo order on or about 19th August, 2024 in respect of the scheduled property referred to in the suit as well as the present writ petition, the petitioner's cultivation is being disturbed at the hands of some political goons. Petitioner has made representation to the police authorities. However, police authorities did not act on such information being furnished. It has also been submitted by the learned advocate for the petitioner that an application under Section 151 of the Code of Civil Procedure is pending before the learned Civil Judge (Jr. Division), Fourth Court at Purba Bardhaman.

In view of the information furnished, police authorities have conducted an enquiry and also filed

a report before the Executive Magistrate. The police authorities have also registered General Diary Entry in respect of information relating to the disturbance of peaceful possession and threatening of the petitioner.

If the petitioner has already preferred an application under Section 151 of the Code of Civil Procedure with a prayer for police assistance or police protection in respect of the issues which are covering the subject-matter of the suit, in that case the Civil Judge will dispose of such application after hearing all the necessary parties within a period of 15 days from the date of filing of such application. In the meantime, police authorities would keep a strict vigil and will ensure that no untoward incident takes place in the locale because of the strained relationship between the petitioner and the private respondents.

With the aforesaid observations, WPA 29314 of 2024 is disposed of.

Report so submitted be kept with the record. Copy of the report has been handed over to Mr. Ganguly, learned advocate for the petitioner.

(Tirthankar Ghosh, J.)