

January 8, 2024
A 3
Ct. No.14
SG

WPA 29225 of 2023

Mukul Dolui and others
vs
The State of West Bengal and others

Ms. Juin Dutta Chakraborty
Ms. Doyel Dey
Mr. Bidan Modak
... for the petitioners

Mr. Tarun Kumr Ghosh
Ms. Suvasree Ghose
... for the State

Affidavit of service filed in Court is taken on record.

Report filed by the State is also taken on record.

Learned advocate for the petitioners submits as follows. The petitioners are the owners of the land in question. The private respondents have been disturbing the possession and peaceful enjoyment of the property by the petitioners. They are illegally constructing a structure and blocking the egress and ingress of the petitioners' property. The petitioners have approached the civil court and obtained an order of status quo. The petitioners have also filed an application under Section 144 of the Code.

Learned advocate for the State denies the police inaction and submits that on the complaint of the petitioners, a proceeding has been initiated under Section 107 of the Code.

It appears that a civil dispute exists between the parties. If any of the parties wants to establish any further right in respect of the property, the same has to be done before a civil court.

It also appears that the police have taken steps for initiating a proceeding under Section 107 of the Code on the complaint of the petitioners.

The police shall keep a sharp vigil at the locale, ensure that no breach of peace takes place and see that no order of a civil court is violated.

With these observations, the writ petition is disposed of.

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

[Jay Sengupta, J.]