

13.05.2025
Item No.4
Ct. No.35
dc.

W.P.A. 234 of 2023

**Tamali Mondal & Anr.
versus
The State of West Bengal & Ors.**

Mr. Lalratan Mandal ... For the Petitioners.

Mr. Benazir Ahmed ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

As none appears on behalf of the State, Mr. Benazir Ahmed, learned advocate, who ordinarily appears for the State, is directed to represent the State. His appointment may be regularised by the concerned authorities.

Learned advocate appearing for the petitioners is directed to hand over a copy of the writ petition to learned advocate appearing for the State.

The petitioners are aggrieved by the fact that in spite of representation made to the police authorities on or about 14.12.2022, the grievance of the petitioners was not addressed by the concerned police station. The basic allegation of the petitioners is that the petitioners are being threatened at the behest of the private respondent.

I find from the representation that for recovery of possession, a suit was preferred before the learned Civil Judge (Junior Division), Lalbagh wherein the court was pleased to pass a restrain

order. Having considered that the civil court is already in seisin of the issue, so far as the issue relating to property is concerned, the same would be considered by the civil court. Police authorities would only ensure, if as on date there is any issue relating to breach of the peace. To that effect, petitioners, if they face the same inconvenience, would inform the police authorities.

With the aforesaid observations, the writ petition being WPA 234 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

There will be no order as to costs.

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

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

(Tirthankar Ghosh, J.)