

D/L 16
04.03.2025
Kausik
ct.no.35

W.P.A. 1478 of 2024

**Gurucharan Chakraborty
Versus
State of West Bengal & Ors.**

Mr. Palash Bapari

...for the petitioner.

Mr. Uttiya Ray
Ms. Anima Maity

...for the respondent nos. 4 to 9.

Mr. Md. Galib, Sr. Govt. Adv.
Ms. Priyamvada Singh

...for the state.

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

It is reflected from the report that the application under section 151 of the Code of Criminal Procedure in connection with Title Suit No. 485/2023 which is pending before the learned Civil Judge (Junior Division), 2nd Court, Burdwan is fixed on 28.03.2025.

Since within a close proximity of time the civil court would be in seisin of the subject matter which has been addressed in the present writ petition, I direct the learned Civil Judge (Junior Division), 2nd Court, Burdwan to put in efforts for disposing of the said application on the date so fixed.

There are disputed questions of facts relating to the petitioner claiming that the construction is proceeding while the defendant as well as the State denying the same.

Without being influenced by any observations made in respect of such factual circumstances, the learned court would assess the ground reality and pass the order in accordance with law.

Police authorities are keeping a strict vigil over the issue relating to dispute. I direct the police authorities to continue the surveillance and ensure that no untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations WPA 1478 of 2024 is disposed of.

Report so submitted be kept with the record.

Copy of report be handed over to both the parties.

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

(Tirthankar Ghosh, J.)