

11.02.2025
Item No.30
Ct. No.35
dc.

W.P.A. 1612 of 2024

**Sunirmal Parua & Anr.
versus
The State of West Bengal & Ors.**

Mr. Bhaskar Chandra Manna ... For the Petitioners.

Mr. Suddhadev Adak ... For the State.

Mr. Dyutiman Banerjee,
Mr. Salil Kumar Maity ... For the Respondent No. 7.

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

The petitioners complain that they are being disturbed in peaceful enjoyment of their property which is disputed by the learned advocate appearing for the private respondent no.7. The petitioners informed the police station, but no action has been taken by the police authorities.

Learned advocate appearing for the private respondent no.7 submits that the respondent no.7 has been successful before the civil court and an appeal has been preferred at the behest of the petitioners and under the said garb without an interim order, the petitioners have invoked the provisions of Article 226 of the Constitution of India.

As none appears for the State, learned advocate appearing for the petitioners is directed to serve a copy of the writ petition upon Mr. Suddhadev Adak, learned advocate, who ordinarily

appears for the State. His appointment may be regularised by the concerned authorities.

In view of the nature of accusations made and rebutted by the learned advocate appearing for the private respondent no.7, I direct that so far as right, title, interest, possession and occupation of the property is concerned, it would be the civil court which would decide such nature of disputes. However, since there is a strained relationship between the petitioners and the private respondent no.7, the police authorities would keep a strict vigil and ensure that no breach of the peace or tranquility takes place and/or any untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations, the writ petition being WPA 1612 of 2024 is 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.)