

17.04.2025
Court No. 35
Item No.178
Rakib

W.P.A. 1993 of 2025

Kurman Sekh.
VS
The State of West Bengal & Ors.

Mr. Shataroup Purakayastha,
Mr. Hamidur Rahaman.
... for the Petitioner.
Mr. Suman Ghosh,
Mr. Sankha Prasad Roy.
...for the State.

Affidavit-of-service filed by the petitioner be kept
with the record.

Petitioner and the private respondents are involved
in a long standing civil dispute.

The grievance of the petitioner is that he is being
called for handing over the land referred to in the writ
petition. Petitioner has already approached the learned
Civil Judge (Senior Division), Lalbagh, Murshidabad vide
T.S. 676/24. The said civil suit is still pending.

Considering that fact that the Civil Court is
already in seisin of the issue so far as the right, title,
interest, possession and occupation is concerned, the
Civil Court will take a decision on the same and the police
authorities will not interfere in respect of the same.

State has submitted a report. Report reflects that
a proceeding under Sections 126/135(3) of the BNSS has
been drawn up by the police authorities to restrain any
infraction of law.

It is directed that the police authorities would continue their surveillance and ensure that no untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations WPA 1993 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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.)