

M/L 11
10.02.2025
Kausik
ct.no.35

W.P.A. 2286 of 2025

**Ramgopal Bhattacharya
Versus
The State of West Bengal & Ors.**

Mr. Suman Banerjee

...for the petitioner.

Mr. Rajarshi Basu
Mr. S.T. Mina

...for the state.

Petitioner complains that in spite of status quo order passed in title suit no. 411 of 2022 by the learned Civil Judge (Senior Division), 2nd Additional Court, Burdwan, petitioner has been dispossessed from the suit property. According to the petitioner the padlock has been broken and the petitioner has been dispossessed.

Learned advocate for the State has submitted a report. Report reflects that Madhabdihi Police Station Case No. 318/2024 has been registered for investigation against the respondent under the relevant provisions of the BNS.

The police authorities have also reported that the dispute is for a considerable period of time and as such earlier prosecution was drawn up under section 107/116 of the Cr.P.C.

Having considered that a civil case is pending so far as the right, title, interest and possession is concerned, the same is to be decided by the civil court.

Accordingly, petitioner will invoke the jurisdiction of the concerned civil court which is already in seisin of the matter/dispute.

However, police authorities are directed to keep a strict vigil and would ensure that no untoward incident results or any breach of the peace and/or tranquility takes place because of the inimical relationship existing between the parties.

With the aforesaid observations WPA 2286 of 2025 is disposed.

Report so submitted be kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

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

(Tirthankar Ghosh, J.)