

12.02.2025
Court No. 35

Item No.77
Rakib

W.P.A. 2528 of 2025

Siddhartha Mukherjee.

VS

The State of West Bengal & Ors.

Mr. Sagnik Bhattacharya,
Ms. Dolly Shaw.

... for the Petitioner.

Mr. Subrata Bhattacharjee.

... for Respondent.

Mr. Rajarshi Basu,

Mr. Shehnaj Tareq M.

... for the State.

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

Petitioner complains that in spite of furnishing information with the police authorities, police authorities failed to take any steps and the petitioner is unable to construct his own building at his own land.

Learned advocate for the State has submitted a report. Report reflects that a Civil Suit being T.S. No. 250/2023 is pending before the learned Civil Judge, Senior Division, 2nd Court, Serampore.

Learned advocate for the private respondents submits that the property referred to is an undivided property for which a Civil Suit with prayers for injunction has been preferred before the jurisdictional Civil Court.

In view of the Civil Court already in siesin of the dispute, I am of the opinion that until and unless

Civil Court passes any direction upon the police authorities, it would be inappropriate for the police authorities to interfere in disputes which are civil in nature. However, police authorities would respect, obey and implement any order passed by the Civil Court.

In the meantime police authorities would continue to keep strict vigil so that there is no breach of peace and tranquility and/or any untoward incident resulting from the strained relationship existing between the parties.

With the aforesaid observations WPA 2528 of 2025 is disposed of.

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

Copy of the report be handed over to the respective parties.

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.)