

04.03.2025
Item No.23
Ct. No.35
dc.

W.P.A. 3649 of 2024

Sadiful Islam Mondal
versus
The State of West Bengal & Ors.

Mr. Robiul Islam,
Mr. Raju Mondal,
Mr. M. Rahman ... For the Petitioner.

Mr. Somnath Ganguli, AGP,
Ms. Pratiti Das ... For the State.

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

Report submitted by Mr. Ganguli, learned AGP appearing for the State be also kept with the record. Mr. Ganguli, learned senior advocate is being assisted by Ms. Pratiti Das, learned Advocate. Her appointment may be regularised by the concerned authorities.

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

The petitioner is aggrieved by the fact that in spite of direction passed by the civil court, no police assistance was rendered. The records reflect that the police authorities were supposed to submit their report on 19.07.2023 before the learned Civil Judge (Jr. Division), Tehatta, Nadia in connection with T.S. No. 13/2023.

State has submitted a report which reflects that the petitioner is in possession. However, the complaint of the petitioner is in respect of

interference with the possession and disturbance being created at the time of cultivation.

Having regard to the nature of the dispute and as the civil court is in seisin of the issues concerned, I direct that the police authorities would respect, obey and implement the order passed by the civil court. In case any interference is caused in respect of possession of the property, the police authorities would ensure that no breach of the peace or tranquility takes place at the locale and/or any untoward incident results because of the strained relationship existing between the petitioner and the private respondents.

With the aforesaid observations, the writ petition being WPA 3649 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.)