

23.04.2025
Item No.04
Ct. No.1
Saikat/AB

**F.M.A. 422 of 2025
With
I.A.No. CAN 1 of 2025**

**Abdul Hakim Mondal & Others
Versus
The State of West Bengal & Others**

Md. Mokaram Hossain,
Mr. Asit Kr. Ghosh,
Md. Naimul Islamfor the Appellants.

Mr. Wasim Ahmed,
Sk. Md. Masudfor the State.

1. This intra-court appeal by the writ petitioners is directed against an order dated January 27, 2025, in WPA 1405 of 2025. The said writ petition was filed alleging that the police has not taken appropriate action on the complaint given by the appellants whereby the appellants stated that the private respondent is attempting to interfere with the peaceful enjoyment of the plot of land in question.
2. In the writ petition, the appellants have alleged that it is very unfortunate that the B.L. & L.R.O. is very much aware that the subject matter of the plot of land was pending in O.A. 592 of 2024 before the West Bengal Land Reforms and Tenancy Tribunal, but in spite of the knowledge, the respondent is not taking steps against the private respondent for the reasons best known.
3. The learned Writ Court, after considering the facts of the case, observed that there is no issue regarding involvement of police authorities in respect of the

grievance of the writ petitioners/appellants to be addressed.

4. Furthermore, it was noted that the learned Tribunal had fixed the next date of hearing in the month of February, 2025.
5. The learned advocate appearing for the appellants would fairly submit that as of now, the learned Tribunal has heard the matter finally and reserved judgment. It is also admitted that earlier the learned Tribunal refused to grant any interim order in favour of the appellants /writ petitioners. If that be so, the appellants ought to have challenged such an order passed by the learned Tribunal refusing to grant an interim relief pending disposal of O.A. 592 of 2024.
6. Thus, considering the facts and circumstances, the learned Single Bench was right in disposing of the writ petition with certain observations. We find no ground to interfere with the order passed by the learned Single Bench.
7. The appeal stands dismissed along with the connected application.
8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)