

D/L 15  
13.03.2025  
Bpg.  
ct.no.35

**W.P.A.4753 of 2025**

**Molla Morsed Ali @ Molla Morshed  
Versus  
The State of West Bengal & Ors.**

Mr. Keshab Chandra Das.  
...for the petitioner.

Mr. Lalit Mohan Mahata  
Mr. Ziaul Haque.  
...for the State-respondents.

Mr. Fazlul Haque  
Md. Ghalib Rizwan.  
...for the private respondents Nos.5 to 8.

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

Petitioner is aggrieved that in spite of the  
directions earlier passed and there has been  
extension of the period pursuant to the direction  
passed in WPA 28298 of 2024, the private  
respondents are obstructing in raising and  
completing the construction.

Learned advocate for the private respondent  
nos.5 to 8 submits that a civil suit has been preferred  
and the said civil case has been filed by the petitioner  
before this Court.

Learned advocate for the State has submitted  
a report.

I have considered the overall circumstances. So far as the issue relating to construction is concerned, since the civil court being the learned Civil Judge (Junior Division), 2<sup>nd</sup> Court, Arambagh is already in seisin of Title Suit No.71 of 2023, petitioner would file necessary application before the learned civil court for the purposes of issue relating to construction.

So far the present writ petition is concerned, the police authorities would only ensure that there is no breach of the peace and/or tranquility and/or any untoward incident resulting because of the strained relationship existing between the parties.

With the aforesaid observations, WPA 4753 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

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

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

***(Tirthankar Ghosh, J.)***