

17.03.2025
Court No. 35
Item No.20
Rakib

W.P.A. 4925 of 2025

Vivek Kumar Jaiswal & Anr.
VS
The State of West Bengal & Ors.

Mr. Amitava Karmakar,
Mr. Anirban Saha,
Mr. Arnab Kr. Neogi.

... for the Petitioners.

Mr. Mrinal Kanti Ghosh,
Mr. Prosun Mondal.

...for the Respondent nos. 6&7.

Mr. Dipanjan Datta, Sr. Adv.,
Ms. Sukanya Datta.

... for the State.

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

Petitioners are aggrieved by that the fact that the
private respondents are trying to encroach the property of
the petitioners and as such petitioners approached the
Civil Court. Vide order dated 10.01.2025 in Title Suit no.
20/2025 the Civil Court was pleased to pass a direction
for status quo in respect of nature and character of the
scheduled property referred to in the suit. Petitioners
complain that inspite of informing the police authorities
no steps have been taken.

Learned advocate appearing for the State has
submitted a report.

Learned advocate appearing for the private
respondents submits that the Civil Court is already in
siesin of the issue.

In view of the Civil Court already in siesin of the nature of dispute between the petitioners and the private respondents and a status quo order being passed, the plea of the petitioner that he is being resisted from construction of boundary wall at present can only be decided by the learned Civil Court.

The police authorities would only ensure that since the petitioner and the private respondents are at loggerhead no breach of the peace and/or tranquility takes place and/or other untoward incident results because of the existing inimical relationship.

With the aforesaid observations, WPA 4925 of 2025 is disposed of.

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

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.)