

25.02.2025
Court No. 35

Item No.12
Rakib

W.P.A. 4980 of 2023
Shibaprasad Giri & Anr.
VS
The State of West Bengal & Ors.

Mr. Kapil Sahoo,
Ms. Poulami Dutta.
... for the Petitioners.
Mr. Wasim Ahmed,
Mr. Md. Masud.
... for the State.

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

Petitioners claim that they are being disturbed in the peaceful enjoyment of their property at the behest of the private respondent nos. 5 to 8. To that effect they have informed the police authorities but the police authorities did not extend their cooperation nor did they take any steps.

Mr. Ahmed, learned Junior Government Advocate appears on behalf of the State and submits that as and when the police authorities were informed they have taken steps, thereby preventing any dispute blowing out of proportion.

I have considered the submissions of the petitioners as well as the private respondents, I am of the view that in case there is any interference at the behest of the private respondents in the peaceful enjoyment of the property by the petitioner, the police authorities would ensure that no breach of the peace and/or tranquility

takes place and/or any untoward incident results because of the inimical relationship existing between the parties.

It is clarified that the right, title, interest, occupation and possession of the property would be decided by the Civil Court and the police authorities will not interfere with the same in case any of the parties to the litigation are already in possession.

With the aforesaid observations, WPA 4980 of 2023 is disposed of.

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.)