

D/L 12
02.04.2025
Kausik
ct.no.35

W.P.A. 6036 of 2025

**Firoj Hossain Biswas
Versus
The State of West Bengal & Ors.**

Mr. Dhananjay Banerjee
Mr. Jisan Iqbal Hossain

...for the petitioner.

Mr. Priyankar Ganguly
Mr. Golam Nure Imrohi

...for the respondent nos. 7 & 8.

Mr. Ashim Kumar Ganguli, AGP
Mr. Tarak Karan

...for the state.

Petitioner has approached the SDPO, Domkal, Murshidabad in view of the infraction of the order passed by the learned Civil Judge (Senior Division), Berhampore, Murshidabad in connection with P.S. No. 05/2021. The learned Civil Judge was pleased to direct an order of status quo as well as a restrained order in respect of construction.

There is an apprehension expressed in the communication dated 06.03.2025 addressed to the SDPO.

I have heard the petitioner, the respondent nos. 7 & 8 as well as Mr. Ganguli, learned Advocate appearing on behalf of the State. State has

submitted that proceedings have been drawn under section 126 of the BNSS.

In spite of the fact that the police authorities have drawn up proceedings under section 126 of the BNSS, I direct the SDPO, Domkal, Murshidabad to consider the representation made on 06.03.2025 within a period of 4 weeks and assess whether there has been any violation of the order passed by the civil court. In case there has been violations at the behest of any of the private parties, the SDPO would take appropriate steps for implementing and adhering to the order passed by the civil court on 08.01.2021, until and unless the same is modified by a higher forum/appellate forum.

The SDPO will also furnish report before the civil court in case he finds that there has been violation of the direction of the civil court. The concerned civil court will thereafter take steps for violating or flouting the order so passed.

With the aforesaid observations WPA 6036 of 2025 is disposed of.

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

(Tirthankar Ghosh, J.)