

16.01.2025
Court No.35
Sl No.94 (ML)
CP

WPA No. 6488 of 2024

Yousuf Ali Khan & Ors.
- Versus -
The State of West Bengal & Ors.

Mr. Soumik Ganguli
Ms. Chandana Chakraborty
...for the petitioners.

Ms. Ipsita Banerjee
Mr. Debangshu Dinda
...for the State.

Mr. Prateep Bera
Mr. Pronojit Roy

.....for the respondent nos. 6 to 20.

Supplementary affidavit filed on behalf of the
petitioners be kept with the records.

Petitioners complain that in spite of the order
passed in Title Suit No.78 of 2021, restraining the
defendants from disturbing the peaceful possession of
the plaintiffs in the suit property, presently the
petitioners are in a position whereby they cannot enter
into the suit property. Learned advocate appearing on
behalf of the petitioners submits that several
representations were furnished before the police
authorities including the superior police officers
regarding the threats and abuses which have been made
by the private respondents thereby creating a tensed
atmosphere. However, the police authorities till date did
not take any proper steps.

Ms. Banerjee, learned advocate appearing on behalf of the State has drawn the attention of the Court to the several cases which have been registered by the Gangasagar Coastal Police Station and submitted that a long standing land dispute is existing between the petitioners and the private respondents.

So far as the accusations regarding abuses and threats are concerned, petitioners would be at liberty to approach the jurisdictional criminal court for remedies.

So far as the issue relating to any violation of the order passed by the Civil Court in Title Suit No.78 of 2021 is concerned, petitioners would be at liberty to approach the jurisdictional Civil Judge (Junior Division), Kakdwip, South 24-Parganas, who is in seisin of the case for rendering proper police assistance for implementation of the order. In case any order is passed by the jurisdictional civil court, under such circumstances, police authorities would respect, obey and implement the said order.

In the meantime, police authorities would continue to keep strict vigil and ensure that no breach of peace and tranquility takes place or any untoward incident results because of the inimical relationship existing between the petitioners and the private respondents.

With the aforesaid observations, the writ petition being WPA No. 6488 of 2024 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.)