

D/L 17
25.02.2025
Kausik
ct.no.35

W.P.A. 6236 of 2023

**Manohara Sana
Versus
State of West Bengal & Ors.**

Mr. Sourodeep Singha

...for the petitioner.

Mr. Kaustav Banerjee
Ms. Ria Kundu

...for the private respondent.

Ms. Sipra Majumdar
Ms. Prativa Shatak

...for the state.

Petitioner has informed the Officer-in-charge, Magrahat Police Station on or about 13.04.2022, but in spite of informing the police authorities no action has been taken and there has been interference according to the petitioner with his livelihood.

Learned advocate for the private respondents submits that the petitioner has failed before the civil court and is attempting to invoke the jurisdiction under Article 226 of the Constitution of India without any foundation either in facts or in law.

Learned advocate for the State has submitted a report prepared by the Officer-in-charge, Magrahat Police Station which reflects that at the relevant point of time as and when complaints were received,

specific steps have been taken by the police authorities and proceedings under section 107 Cr.P.C. has also been drawn as and when there has been breach of any peace and/or tranquility.

I have considered the submissions of the petitioner, State and the private respondents and I direct the police authorities not to interfere with the right, title, interest and possession of any of the parties. It would be the absolute discretion of the civil court to pass necessary orders. In case any order is passed by the civil court, police authorities would respect, obey and implement the said order. However, police authorities would continue to keep a strict vigil and ensure that no breach of the peace and/or tranquility takes place.

With the aforesaid observations WPA 6236 of 2023 is disposed of.

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.

(Tirthankar Ghosh, J.)