

Sl.No. 19.03.2025
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Court No. 35
G.S.Das

WPA 7165 of 2024

Shibdas Hati & Anr.
-Vs-
The State of West Bengal & Ors.

Mr. Abir Chakraborty
Mr. Nirupam Sarkar
... for the Petitioner(s)

Mr. Pantu Deb Roy
Mr. Subrata Guha Biswas
... for the State-respondent(s)

Mr. Dilip Kumar Sadhu
... for the private respondent(s)

The petitioners are aggrieved by the fact that in spite of a *status quo* order passed in TS 24 of 2024 by the learned civil court, the police authorities allowed demolition of the property as also persuasion of certain illegal construction.

Learned advocate for the private respondent disputes and denies the contentions advanced by the petitioners and submits that the writ petition is not maintainable.

State has submitted a report

which reflects that the police authorities at the relevant point of time drew up a proceeding under Sections 107/116(3) of the Cr.P.C.

The further grievance of the petitioners are that the police authorities had been aiding the private respondents.

Since the civil court is already *in seisin* of the issues, the petitioner would approach the civil court seeking appropriate assistance for implementation of the *status quo* order. In case, any direction is passed upon the police authorities for rendering police assistance for preventing any violation and/or flouting of the order of the civil court, the police authorities would respect, obey and be bound by the order of the civil court concerned.

In the meantime, the police authorities would ensure that there is no breach of the peace and tranquility as

also no untoward incident resulting because of the strained relationship existing between the parties.

With the aforesaid observations, WPA 7165 of 2024 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

