

S/L 11
31.01.2025
Court. No. 35
Suvayan

WPA 7302 of 2024

Panpiyara Bibi
Vs.
The State of West Bengal & Ors.

Mr. Kingsuk Mondal
Md. Golam Nure Imrohi

...for the petitioner.

Mr. Wasim Ahmed
Sk. Md. Masud

...for the State.

Mr. Tanmay Basu

...for the private respondents.

Petitioner has approached this Court that in spite of *status quo* order being passed in Partition Suit No. 364/2022 the respondents are violating the *status quo* order and disturbing in the peaceful enjoyment of the property of the petitioner. To that effect the petitioner informed the police authorities. However, the police authorities did not take any effective steps.

Learned Advocate for the private respondents submits that there is alternative and efficacious remedy available in spite of that the petitioner has invoked the jurisdictional court under Article 226 of the Constitution of India.

Mr. Ahmed, learned Advocate appearing for the State has submitted a report which reflects that police authorities on receipt of complaint, have drawn up proceedings under Section 107 of Cr.P.C. However, civil proceedings are pending and there is also specific

direction from the civil court as such the police authorities are not over active.

Having considered the nature of the grievance, I direct that if the petitioner approaches the civil court in respect of the case pending and a specific direction is passed upon the police authorities, the police authorities would be bound by the order passed by the civil court.

In the meantime police authorities would keep a strict vigil and ensure that no breach of peace and tranquility and/or any untoward incident takes place because of the inimical relationship existing between the parties.

With the aforementioned observations, the instant writ petition being **WPA 7302 of 2024** is hereby disposed of.

Report be submitted be kept with the record.

Copy of the report be handed over to the learned Advocate appearing for the petitioner.

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

(Tirthankar Ghosh, J.)