

Sl.No.

114

Court
No. 35

G.S.Das

11.03.2025

WPA 8522 of 2024

Sk. Salim Akhtar & Anr.

-Vs-

The State of West Bengal & Ors.

Mr. Kushal Chatterjee

Mr. Oishik Chatterjee

... for the Petitioner(s)

Mr. Amal Kumar Sen, Id. AGP

Mr. Jaladhi Das

... for the State-respondent(s)

Mr. Ziaul Haque

Mr. Himadri Kumar Mahata

... for the private respondent nos. 3-8

Affidavit-of-service so filed be kept
with the record.

The petitioners are aggrieved by
the fact that in spite of the order passed
in T.S. 624 of 2023 by the learned Civil
Judge (Jr. Divn.), Serampore, Hooghly
directing the defendants/respondents not to
create any disturbance in the petitioners'
peaceful possession over the suit property
and also restraining the respondents from
infringing the legal rights of the plaintiffs
(the petitioners herein), the respondents
have been pursuing with their activities of

both interference and disturbances in respect of the property concerned.

State has submitted a report which is of April, 2024. The report reflects that earlier there were criminal cases registered; a proceeding under Sections 107/116 Cr.P.C. has been drawn up on the basis of verbal complaint received in respect of incidents. Further, charge-sheet has been submitted against the respondents.

Learned advocate for the private respondents submits that there has been no interference and/or disturbances from their end and the petitioners have been trying to utilize the police authorities for interference with their peaceful life.

Be that as it may, the learned civil court is already *in seisin* of the issues relating to the suit property concerned.

So far as the writ petition which

has been filed, I find that last of the representation was of 11th November, 2023. As, more than one year four months have passed since then and there has been any change of circumstances, the police authorities would oversee the situation presently existing.

However, the petitioners would be at liberty also to file a fresh information to the police authorities if any inconvenience is being caused to them.

The police authorities are directed not to interfere with the right, title, interest, usages and possession of the property, which are the exclusive domain of the learned civil Court.

With the aforesaid observations, WPA 8522 of 2024 is disposed of.

Pending application, 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.)