

29.04.2025
Item No.17
Ct. No.35
dc.

W.P.A. 7972 of 2025

**Tapas Karmakar & Anr.
versus
The State of West Bengal & Ors.**

Mr. Debabrata Sen,
Mr. Sirajul Haque Mondal,
Mr. Soumen Barman ... For the Petitioners.

Mr. Rajarshi Basu,
Mr. Biswajit Das ... For the State.

Mr. Manas Kumar Das,
Mr. Aritra Kumar Thokdar
... For the Respondent Nos.6 to 11.

Affidavit-of-service filed in Court today be
kept with the record.

Report submitted by the learned advocate
appearing for the State be also kept with the record.

The petitioners are aggrieved by the inaction
of the police authorities as in spite of informing the
Officer-in-Charge, Bharatpur Police Station on or
about 30.09.2024, till date the petitioners complain
that they could not enter the property.

Records reflect that a suit being T.S. No. 4 of
2021 is pending before the civil court and a status
quo order was being passed.

According to the learned advocate appearing
for the petitioners, it has been claimed that by
breaking open the grill gate and shutter, the private
respondents have taken possession of goods worth
Rs.10,00,000/- belonging to the petitioners and the
petitioners are unable to enter the said property.

Learned advocate appearing for the private respondent nos. 6 to 11 denies and disputes such contention of the petitioners and further submits that there was no godown in the land complained of where Durga Puja used to take place and there was access of the petitioners as well as the private respondents.

State has submitted a report which reflects that the petitioners on enquiry have been found recently of entering the place/godown complained of.

The police authorities have kept a strict vigil in respect of the property complained of by the petitioners as well as the private respondents. They would continue their surveillance and ensure that there is no breach of the peace and/or any untoward incident resulting from the strained relationship. In case the situation blows out of proportion, the police authorities would take steps in accordance with the relevant provisions of law and would not allow any party to use the civil dispute as a genesis of a criminal offence.

With the aforesaid observations, the writ petition being WPA 7972 of 2025 is disposed of.

There will be no order as to costs.

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.)