

01.05.2025
Item No.226
Ct. No.35
dc.

W.P.A. 8317 of 2025

**Jamser Fakir @ Jamser Ali Fakir
versus
The State of West Bengal & Ors.**

Mr. Debashis Banerjee,
Mr. Rakesh Jana ... For the Petitioner.

Mr. Suman Ghosh,
Mr. Sankha Prasad Roy ... For the State.

Mr. Mrinal Kanti Ghosh,
Mr. Chandra Nath Sarkar
... For the Respondent Nos. 5, 7 & 10.

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 petitioner is aggrieved by the fact that in
spite of temporary injunction order being passed in
respect of the possession of the suit property by the
learned Civil Judge (Jr. Division), 1st Court,
Baruipur in T.S. No. 14 of 2016 there has been
interference at the behest of the private
respondents. To that effect, information was
furnished at Jibantala Police Station.

Learned advocate appearing for the private
respondent nos. 5, 7 and 10 submits that the civil
court is in seisin of the issues and it would be in
the fitness of the circumstances for the civil court
to adjudicate, if consequent to the order passed by
the civil court there has been any violation or
dereliction of such order.

State has submitted a report which reflects that the proceedings have been drawn up under Sections 126/135 of BNSS. Having considered that a civil dispute relating to land is existing and the petitioner complains of interference and disturbance, I am of the view that the police authorities would only oversee that no breach of the peace and/or tranquility takes place and/or any untoward incident results because of the strained relationship existing between the petitioner and the private respondents.

With the aforesaid observations, the writ petition being WPA 8317 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.)