

D/L 34
18.02.2025
Bpg.
ct.no.35

W.P.A.9063 of 2024

**Kartick Mondal
Versus
The State of West Bengal & Ors.**

Mr. Sajal Kanti Bhattacharyya
Mr. Sankar Halder
Mr. Sarthak Burman.
...for the petitioner.
Ms. Shabuam Farooqui.
...for the State-respondents.

Affidavit-of-service filed by the petitioner be kept with the record.

Petitioner is aggrieved by the inaction of the police authorities in respect of the information furnished and no action being taken till date. Petitioner submits that there has been an order passed by the learned Civil Judge (Junior Division), 1st Court, Barasat.

I have considered the order passed by the learned civil court in T.S. No.52 of 2024 wherein the direction was upon the defendants for being restrained from dispossessing the plaintiff.

Petitioner is now interested regarding the materials which have been kept at the hotel and for the keys of the same.

As none appears on behalf of the State, Ms. Shabuam Farooqui, learned advocate, who ordinarily appears on behalf of the State, is directed to represent

the State. Her appearance may be regularized by the concerned authorities.

In view of the civil court already in seisin of the subject matter until and unless the specific direction is passed upon the police authorities in respect of the nature of the assistance to be rendered, the police authorities are not supposed to interfere in such dispute. Accordingly, if in an appropriate application the civil court directs the police authorities to act in a particular manner, police authorities would respect, obey and implement such order.

In view of the nature of the dispute, police authorities would keep a strict vigil to ensure that there is no breach of the peace at the locale.

With the aforesaid observations, WPA 9063 of 2024 is disposed of.

There will be no order as to costs.

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

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)